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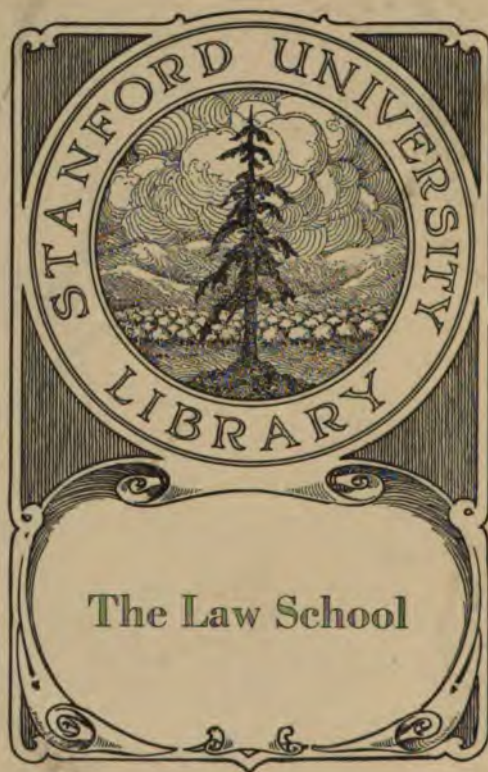
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The Law School

ORDERS IN COUNCIL

HAVING FORCE OF LAW

IN THE

PROVINCE OF QUEBEC



THE HONORABLE SIR LOUIS AMABLE JETTÉ, K.C.M.G.,

LIEUTENANT-GOVERNOR

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QUEBEC

PRINTED BY CHARLES PAGEAU

PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

ANNO DOMINI 1906

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ORDERS IN COUNCIL



EXECUTIVE COUNCIL CHAMBERS

QUEBEC 20th October, 1905.

PRESENT: The LIEUTENANT-GOVERNOR in Council

IT IS ORDERED that tariff C, being the tariff of the Clerks of the Circuit Court, be amended by inserting after Item 27 of the tariff of the non-appealable Circuit Court, the following item with the figures hereinafter set forth, in the column of Clerks' fees, to wit:

" 27a. Upon the claim of a creditor filed in virtue of article 1147a of the Code of Civil Procedure:

1st Class.....	\$0 50
2nd "	0 40
3rd "	0 30
4th "	0 20''

WM. LEARMONTH,
Acting Clerk of the Executive Council.

IV

ORDERS IN COUNCIL

Stumpage dues

EXECUTIVE COUNCIL CHAMBERS

QUEBEC, 1st February, 1906.

PRESENT: The LIEUTENANT-GOVERNOR in Council

IT IS ORDERED that the rate of stumpage dues to be levied in future on white pine logs measuring eleven inches and less in diameter be fixed at one dollar and ten cents, (\$1.10), per thousand, (1000), feet, board measure, until the first of September, nineteen hundred and ten, (1910).

WM. LEARMONTH,

Acting Clerk of the Executive Council.

STATUTES
OF THE
PROVINCE OF QUEBEC

PASSED IN THE
SIXTH YEAR OF THE REIGN OF HIS MAJESTY
KING EDWARD THE SEVENTH

AND IN THE
SECOND SESSION OF THE ELEVENTH LEGISLATURE

BEGUN AND HOLDEN, AT QUEBEC, ON THE EIGHTEENTH DAY OF JANUARY, AND CLOSED BY
PROROGATION ON THE NINTH DAY OF MARCH, IN THE YEAR OF OUR
LORD ONE THOUSAND NINE HUNDRED AND SIX



THE HONORABLE SIR LOUIS AMABLE JETTÉ, K.C.M.G.

LIEUTENANT-GOVERNOR

QUEBEC
PRINTED BY CHARLES PAGEAU
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
ANNO DOMINI 1906



6 EDWARD VII

CHAP. 1

An Act granting to His Majesty the moneys required for the expenses of the Government for the financial year ending on the 30th June, 1907, and for other purposes connected with the public service

[Assented to 9th March, 1906]

MOST GRACIOUS SOVEREIGN,

WHEREAS it appears, by messages from the Honourable Preamble. Sir Louis Amable Jetté, K. C. M. G., Lieutenant-Governor of this Province, and the estimates accompanying the same, that the sums hereinafter mentioned are required to defray certain expenses of the Government of the Province, not otherwise provided for, for the financial year ending on the 30th June, 1907, and for other purposes connected with the public service; May it, therefore, please Your Majesty that it may be enacted, and be it enacted, by the King's Most Excellent Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec. that:

1. From and out of the consolidated revenue fund of this \$2,547,822.40 Province, a sum, not exceeding in the whole two millions, five hundred and forty-seven thousand, eight hundred and twenty-two dollars and forty cents, may be taken for defraying, during the financial year ending on the 30th June, 1907, the charges and expenses of the Government and public service of the Province, as set forth in the Schedule annexed to this act.

Payments to be made subject to adjustment of accounts with Dominion and Ontario.

2. Every payment or application of moneys, appropriated by this act, shall be held to be made provisionally, and subject to all adjustment in account hereafter, in respect of the Dominion and of the Province of Ontario, and of special funds which this act may in any manner affect.

Accounts to be rendered to both Houses of the Legislature.

3. Accounts, in detail, of all moneys expended under the authority of this act, shall be laid before both Houses of the Legislature of the Province, at the next session thereof.

Accounting to His Majesty.

4. The application of all sums expended under the authority of this act shall also be accounted for to His Majesty.

Coming into force.

5. This act shall come into force on the day of the sanction thereof.

VIA 8811 0909 1918

SCHEDULE

Sums granted to His Majesty, by this act, for the financial year ending on the 30th June, 1907, with indication of the purposes for which they are granted

No.	SERVICE	—	—	Total
		\$ cts	\$ cts	\$ cts
	I.—PUBLIC DEBT			
1	Charges of management.....			12,755 83
	II.—LEGISLATION			
	<i>Legislative Council</i>			
2	Speaker's salary.....	1,000 00		
3	Salaries, contingent expenses, &c.....	12,811 50	13,811 50	
	<i>Legislative Assembly</i>			
4	Speaker's salary.....	1,000 00		
5	Salaries, contingent expenses, &c.....	64,408 60	65,408 60	
6	Printing and binding for both Houses of the Legislature. R. S. Q., art. 158.....		35,300 00	
	<i>Library of the Legislature</i>			
7	Purchase of books.....	2,000 00		
8	Salaries, contingent expenses, &c.....	7,100 00	9,100 00	
	<i>Elections</i>			
9	Contingent expenses of elections.....	1,000 00		
10	Clerk of the Crown in Chancery: salary... <i>King's Printer</i>	400 00	1,400 00	
11	Printing, binding and distributing the laws.....		6,000 00	131,020 10
	Carried over.....			143,775 93

SCHEDULE—Continued

No.	SERVICE	—	—	Total
		\$ cts	\$ cts	\$ cts
	Brought forward.....			143,775 93
	III.—CIVIL GOVERNMENT			
12	Salaries		4,250 00	
13	Contingencies		73,200 00	77,450 00
	IV.—ADMINISTRATION OF JUSTICE, &c.			
14	Administration of Justice.....		403,685 00	
	Police			
15	Judges of the Sessions of the Peace, Quebec; ditto, Montreal. Their salaries, as judges and license commissioners, those of their officers and contingencies of office, including the salaries of the high constable and his deputy, &c., Montreal.....		20,346 25	
16	Inspection of Public Offices		10,500 00	434,531 25
	V.—PUBLIC INSTRUCTION, &c.			
	(Through the Department of Public Instruction)			
	Public Instruction proper			
17	Superior Education: Five per cent. of the Roman Catholic share of this sum will be annually retained, to be distributed, in such proportion as the Lieutenant-Governor in Council may be pleased to determine, among the Catholic Institutions for Deaf-Mutes and the Blind in the Province; and five per cent. of the share of Roman Catholics in the Superior Education Fund may be employed by the Provincial Secretary for the purchase of books, writ-			
	Carried over.			655,757 18

SCHEDULE—Continued

No	SERVICE	—	—	Total
		\$ cts	\$ cts	\$ cts
	Brought forward			655,757 18
	V.—PUBLIC INSTRUCTION, &c.—Continued			
	(Through the Department of Public Instruction)—Continued			
	Public Instruction proper—Continued			
	ten and printed in the Province, to be distributed as prizes to the institutions which shall have contributed to such sum of five per cent., and \$13,000 shall be paid, under 57 Victoria, chapter 23, section 17, as amended by 3 Edward VII, chapter 17, section 4, out of the said share of the said fund, to the Polytechnic School, Montreal...			
	\$4,000 of this sum shall be paid to Laval University, Quebec, in compensation for terminating the lease of the Normal School, and the sum of \$2,000 shall be paid to Protestant Education in the manner to be determined by the Protestant Committee of Public Instruction, in the proportion of one-half to schools in poor municipalities and one-half to academies and model schools.			
	Of the portion allotted to Protestant Superior Education, \$200 shall be applied in aid of the Provincial Teachers' Association, and \$700 towards the salary of an Inspector of superior schools, academies, &c.	80,000 00		
18	High Schools: Quebec and Montreal	2,470 00		
19	Compensation to Roman Catholic Institutions for grants to High Schools, out of which \$2,000 for the Law Faculty of Laval University, Montreal, and \$2,000 for the Montreal School of Medicine and Surgery	4,940 00		
	Carried over	87,410 00		655,757 18

SCHEDULE—*Continued*

No.	SERVICE	—	—	Total
		\$ cts	\$ cts	\$ cts
	Brought forward.....	87,410 00	.....	655,757 18
	V.—PUBLIC INSTRUCTION, &c.— <i>Continued</i>			
	(Through the Department of Public In- struction)— <i>Continued</i>			
	<i>Public Instruction proper</i> —Continued			
20	Public Schools : Five per cent. of the share of Roman Catholics in this sum shall be annually retained to be dis- tributed, in such proportion as the Lieutenant-Governor in Council may be pleased to determine, among the Roman Catholic Institutions for Deaf- Mutes and the Blind in the Province.	160,000 00		
21	Schools in poor municipalities.....	13,000 00		
22	Normal Schools.....	59,000 00		
23	Inspection of Schools.....	43,000 00		
24	Superannuated Teachers.....	8,000 00		
25	Books for prizes or school requisites.....	2,000 00		
26	Schools for the deaf and dumb.....	12,000 00		
27	School for the deaf and dumb, Mile End, Montreal.....	500 00		
28	School for deaf and dumb girls, Sisters of Providence, Montreal.....	500 00		
29	Council of Public Instruction.....	2,500 00		
30	Supplementary aid to the Protestant Com- mittee of the Council of Public In- struction.....	1,500 00		
31	Towards the publication of a French jour- nal and of an English journal on Public Instruction, upon the conditions and in the manner determined by the Provincial Secretary.....	7,550 00		
32	Scholastic Museum.....	600 00		
	Carried over.....	397,560 00	.....	655,757 18

SCHEDULE—Continued

No.	SERVICE	—	—	Total
		\$ cts	\$ cts	\$ cts
	Brought forward.....	397,560 00	.....	655,757 18
	V.—PUBLIC INSTRUCTION, &c.—Continued			
	(Through the Department of Public In- struction)—Continued			
	Public Instruction proper—Continued			
33	Superintendent's Report	700 00		
34	Gratuity to teachers.....	1,000 00		
35	Night schools.....	12,000 00	411,260 00	
	Miscellaneous			
36	Succursale de l'Université Laval, Montreal.	4,000 00		
37	"Monument National," Montreal, under the control of "L'Association St-Jean- Baptiste de Montréal;" payment sub- ject to an order in council and to con- ditions of the order in council, No. 187, of the 20th May, 1896.....	2,500 00	6,500 00	
	Literary and Scientific Institutions			
38	School of Navigation, Quebec.....	1,000 00		
39	Canadian Archives: towards binding, re- newal of.....	200 00	1,200 00	
	Arts and Manufactures			
40	Council of Arts and Manufactures, inclu- ding the teaching of fine Arts applied to industry.....		15,000 00	433,960 00
	VI.—PUBLIC WORKS AND LABOUR			
	Public Works			
	(Ordinary)			
41	Maintenance, etc., of Public Buildings generally.....	73,574 00		
	Carried over.....	73,574 00	.....	1,089,717 18

SCHEDULE—Continued

No.	SERVICE	—	—	Total
		\$ cts.	\$ cts.	\$ cts.
	Brought forward.....	73,574 00	.....	1,089,717 18
	VI. PUBLIC WORKS AND LABOUR—			
	Continued			
	Public Works—Continued			
	(Ordinary)—Continued			
42	Insurances of Public Buildings generally, 3 years.....	10,000 00		
43	Water rates on Public Buildings generally, Quebec city.....	7,594 00		
44	Inspections, Explorations, etc.	3,500 00		
45	Inspection of Railways	1,000 00	95,668 00	
	(Chargeable to Building and Jury Fund)			
46	Repairs of Court Houses and Gaols, &c....	28,880 00		
47	Insurances do do do	14,000 00		
48	Rents of do do do	2,426 76	43,076 76	
	(Extraordinary)			
49	Towards the construction of a building in Montreal to be occupied by the reg- istrars' offices and other public offices of the city, balance construction and for furniture.....	37,607 60		
50	do do for steel set of pigeon- holes, urniture, &c.....	8,000 00		
51	Iron Bridges in municipalities: towards the construction of a bridge at N. D. de Lourdes, Megantic.....	6,000 00		
52	Court House for the district of St. Francis, city of Sherbrooke. 2 Ed. VII, cap. 6: aid towards construction and furniture.	4,000 00		
53	Construction of a new Dairy School at St. Hyacinthe: furniture, machinery and completion of building.....	8,000 00		
	Carried over.....	63,607 60	138,744 76	1,089,717 18

SCHEDULE—Continued

No.	SERVICE	—	—	Total
		\$ cts	\$ cts	\$ cts
	Brought forward....	63,607 60	138,744 76	1,089,717 18
	VI.—PUBLIC WORKS AND LABOUR.—			
	Continued			
	Public Works—Continued			
	(Extraordinary)—Continued			
54	Court House and Gaol, district of Bedford, Sweetsburg: towards the building of an annex and vault.....	5,000 00	68,607 60	
	Labour :			
55	" Public Buildings " and " Industrial establishments " Acts (57 Vic., cc. 29 and 30).....	12,000 00		
56	Clerk of Councils of Conciliation and Arbitration under 1 Ed. VII, cap. 31— " The Quebec Trade Disputes ' Act " — Salary	400 00	12,400 00	219,752 36
	VII.—AGRICULTURE			
57	Farmers' Clubs, encouragement of agriculture in general and improvement of Rural Roads, including \$13,350 00 for the South Shore Railway Coy. (For the construction of bridges over the St. Francis and Yamaska rivers, being balance of first payment, and second payment of 10 equal payments) under 63 Vic., cap 2, and \$2,500.00 for the Montfort colonization road, being the 10th payment of 12 equal, under 60 Vic., cap. 4.....		76,450 00	
58	Horticultural Society, Quebec.....		250 00	
59	Council of Agriculture.....		3,000 00	
60	Agricultural Schools.....		12,000 00	
61	Veterinary Schools.....		4,500 00	
62	Dairymen's Association of the Province of Quebec, (R. S. Q., art. 1749 &c. and O. C. No. 75 of 24th January, 1891).		2,000 00	
63	Working of the new Dairy School, of St. Hyacinthe....		4,500 00	
	Carried over.....		102,700 00	1,309,469 54

SCHEDULE—Continued

No.	SERVICE	—	—	Total
		\$ cts	\$ cts	\$ cts
	Brought forward		102,700 00	1,309,469 54
	VII.—AGRICULTURE—Continued			
64	Grants to butter and cheese syndicates and inspection of same. R. S. Q., art. 1753a and 1753c (54 V., c. 20, and 63 V., c. 16).		25,000 00	
65	Towards the encouragement of the Dairy Industry, the teaching of the manufacture of the new varieties of cheese, and the dairy products' competition, Inspectors of butter and cheese factories in the Province, &c.		15,000 00	
66	Encouragement of the culture of fruit trees, (Horticulture).....		4,000 00	
67	Official Laboratory of the Province of Quebec.....		2,000 00	
68	Lectures on agriculture.....		4,500 00	
69	Poultry Associations.....		600 00	
70	Provincial Agricultural Merit.....		3,500 00	
71	Arbor Day.....		100 00	
72	Improvement of Rural Roads.....		9,000 00	
73	Expositions.....		13,000 00	
74	The Eastern Townships' Agricultural Association, (Sherbrooke Exhibition).		3,000 00	181,400 00
	VIII.—LANDS AND FORESTS			
75	General expenditure.....		84,300 00	
76	Suspense account.....		10,000 00	
77	Protection of Forests.....		12,000 00	
78	Publication of Sectional Maps and pamphlets.		1,000 00	
79	The Laurentides National Park. 58 V., c 22, s. 23.....		1,000 00	
80	Surveys.....		40,000 00	
	Carried over		148,300 00	1,490,869 54

SCHEDULE—Continued

No.	SERVICE	—	—	Total
		\$ cts.	\$ cts	\$ cts
	Brought forward:.....		148,300 00	1,490,889 54
	VIII.—LANDS AND FORESTS—Continued			
81	Forestry, study of.		1,500 00	
82	Boundary line between Quebec and Ontario, part of.		8,000 00	
83	Labrador exploration.....		5,000 00	
84	Inspection and classification of lands.....		20,000 00	182,800 00
	IX.—COLONIZATION, MINES AND FISHERIES			
	Colonization :			
85	Colonization Roads.....	130,000 00		
86	Colonization Societies generally.....	4,000 00		
87	Immigration : Quebec and Montreal Offices	0		
88	Women's National Immigration Society, Montreal.....	500 00		
89	Women's Protective Immigration Society, Quebec.....	250 00		
90	Publication of Maps.....	2,000 00	140,750 00	
	Mines and Fisheries :			
91	Mines	5,000 00		
92	Fisheries and Game.....	25,000 00		
93	Suspense account	5,000 00		
94	Registration service (Cadastre).	15 000 00	50,000 00	190,750 00
	X.—LUNATIC ASYLUMS			
95	Lunatic Asylums, including transfer of pa- tients from Gaols to Asylums and other incidental expenses.....		410,000 00	
96	Belmont Retreat : Mackay Institution, grant towards.....		1,000 00	411,000 00
	Carried over.....			2,275,419 54

SCHEDULE—Continued

No.	SERVICE	—	—	Total
		\$ cts	\$ cts	\$ cts
	Brought forward.....			2,275,419 54
	XI—REFORMATORY AND INDUSTRIAL SCHOOLS			
97	Reformatory and Industrial Schools, including incidental expenses.....			60,000 00
	XII.—CHARITIES			
	Miscellaneous			
98	Corporation of General Hospital, Montreal.....		5,000 00	
99	Indigent Sick, do		2,240 00	
100	St. Patrick's Hospital, do		1,120 00	
101	<i>Sœurs de la Providence</i> , do		588 00	
102	<i>St. Vincent de Paul</i> Asylum, do		315 00	
103	Protestant House of Industry and Refuge, do		420 00	
104	St. Patrick's Orphan Asylum, do		336 00	
105	The Montreal Maternity, do		252 00	
106	Magdalen Asylum (<i>Bon Pasteur</i>), do		378 00	
107	Roman Catholic Orphan Asylum, do		168 00	
108	<i>Sœurs de la Charité</i> , do		560 00	
109	do for their founding Hospital, do		105 00	
110	Protestant Orphan Asylum, do		336 00	
111	Lying-in Hospital, care <i>Sœurs de la Miséricorde</i> , do		383 25	
112	Bonaventure Street Asylum, do		225 75	
113	Nazareth Asylum for destitute children, do		210 00	
114	School for the blind, Nazareth Asylum, do		1,390 00	
	Carried over.....		14,027 00	2,335,419 54

SCHEDULE—Continued

No.	SERVICE	—		Total
		\$	cts	\$ cts
	Brought forward			14,027 00 2,335,419 54
	XII.—CHARITIES—Continued			
	Miscellaneous—Continued			
115	Work-room for the blind, Nazareth Asylum, Montreal		300 00	
116	Montreal Dispensary, do		375 00	
117	Montreal Ladies' Benevolent Society, do		637 50	
118	St. Bridget's Asylum, do		420 00	
119	Protestant Infants' Home, do		210 00	
120	Church Home, do		135 00	
121	Hospice de Bethléem, do		262 50	
122	Notre-Dame Hospital, do		5,000 00	
123	Hôtel-Dieu, do		1,050 00	
124	Ladies' Hebrew Benevolent Society, do		187 50	
125	Sœurs de la Miséricorde : to- wards keeping foundlings, do		375 00	
126	Sœurs de la Providence, cor- ner of St. Catherine and Fullum streets, do		150 00	
127	Baron de Hirsch Institute and Hebrew Benevolent Society of Montreal, (for- merly called Young Men's Hebrew Benevolent So- ciety), do		300 00	
128	Sheltering Home, do		150 00	
129	McKay Institute, do		3,000 00	
130	The Montreal Foundling and Sick Baby Hospital, do		187 50	
131	Hospice de St. Joseph du Bon Pasteur, do		105 00	
132	Petites Sœurs des Pauvres, do		70 00	
	Carried over		26,942 00	2,335,419 54

SCHEDULE—Continued

No.	SERVICE	—		Total
		\$	cts	\$ cts
	Brought forward			26,942 00
	XII.—CHARITIES—Continued			
	Miscellaneous—Continued			
133	Home for Incurables, Montreal..		200 00	
134	The Women's Hospital, do ..		262 50	
135	Hervey Institute, do ..		168 00	
136	Montreal Homeopathic Association, do ..		100 00	
137	House of Refuge, Ste. Cunégonde, do ..		300 00	
138	Charitable Ladies' Association of the Roman Catholic Orphan Asylum and Nazareth Asylum, Quebec..		798 00	
139	Indigent Sick, do ..		2,240 00	
140	Asylum of the Good Shepherd, do ..		750 00	
141	Ladies' Protestant Home, do ..		393 75	
142	Male Orphan Asylum, do ..		220 50	
143	Finlay Asylum, do ..		220 50	
144	Protestant Female Orphan Asylum, do ..		220 50	
145	Saint Bridget's Asylum, do ..		525 00	
146	Dispensary, do ..		105 00	
147	Sisters of Charity, do ..		135 00	
148	do do Orphan Asylum, do ..		250 00	
149	do do for widows and infirm persons, do ..		210 00	
150	L'Hotel-Dieu du Sacre-Cœur de Jésus, do ..		880 00	
151	do do Dispensary, do ..		105 00	
152	do do for Foundlings, do ..		305 00	
153	do do for Epileptics, do ..		187 50	
	Carried over		35,518 25	2,335,419 54

SCHEDULE—Continued

No.	SERVICE	—	—	Total
		\$ cts	\$ cts	\$ cts
	Brought forward.....		35,518 25	2,335,419 54
	XII.—CHARITIES—Continued			
	Miscellaneous—Continued			
154	Women's Christian Association, Quebec..		105 00	
155	Lying-in Hospital, care of the Ladies of the Good Shep- herd, do ..		1,500 00	
156	General Hospital, do ..		750 00	
157	L'Œuvre du Patronage, do ..		375 00	
158	Hôpital des Sœurs de la Charité de la Providence, for their indigent sick, orphans, etc., Three Rivers..		1,610 00	
159	do do for their Lying-in Hospital, do ..		280 00	
160	General Hospital, Sorel..		490 00	
161	St. Hyacinthe Hospital, St. Hyacinthe..		350 00	
162	Hôtel-Dieu, Nicolet..		200 00	
163	Sœurs de la Charité, Rimouski..		262 50	
164	Hôpital du Sacré-Cœur, Sherbrooke..		450 00	
165	Protestant Hospital, do ..		300 00	
166	Distributing Home, Knowlton..		140 00	
167	Hospice St. Joseph de la Deli- vrance, Levis..		210 00	
168	Hôtel-Dieu St. Valier, Chicoutimi..		300 00	
169	Hôtel-Dieu de St. Joseph, Arthabaska..		187 50	
170	Hospice Ste. Anne de la Baie St. Paul, for old and in- firm persons and for idiots, Baie St. Paul..		375 00	
171	Hospice des Sœurs de la Charité, Montmagny..		200 00	
	Carried over.....		43,593 25	2,335,419 54

SCHEDULE—Continued

No	SERVICE	—	—	Total
		\$ cts	\$ cts	\$ cts
	Brought forward		43,593 25	2,335,419 54
	XII — CHARITIES—Continued			
	Miscellaneous—Continued			
172	Fraserville Hospital, Fraserville..		400 00	
173	Hospital for orphans and for the aged and the sick, Valleyfield..		300 00	
174	Hospice St. André Avellin, County of Ottawa..		200 00	
175	St. Jérôme Hospital, St. Jérôme		250 00	
176	Hospice St. Antoine, for Orphans, Infirm and Sick, Longueuil..		300 00	
177	Hôpital St. Jean, St. John's, Iberville..		140 00	
178	Sisters of Charity, do do		140 00	45,323 25
	XIII.—CHARGES ON REVENUE			
179	Expenses in connection with the collection of licenses, duties on successions and taxes on commercial corporations, etc., 55-56 V., c. 17; 63 V., cc. 12 and 13, etc.		68,000 00	
180	Stamps, Licenses, &c.		7,000 00	
181	Registrars: salaries and contingencies....		35,000 00	
182	Quebec Official Gazette		13,000 00	
183	Inspector of Mutual Benefit Associations. R. S. Q., art. 3104e (62 V., c. 32): travelling expenses.....		1,000 00	124,000 00
	XIV.—MISCELLANEOUS SERVICES			
184	Miscellaneous generally		20,000 00	
185	Board of Health of the Province of Quebec. 1 Ed. VII, c. 19		12,000 00	
186	Towards procuring vaccine (including \$500 for inspection).....		2,500 00	
	Carried over.....		34,500 00	2,504,742 79

SCHEDULE—Continued.

No.	SERVICE	—		Total
		\$	cts	\$ cts
	Brought forward.....		34,500 00	2,504,742 79
	XIV.—MISCELLANEOUS SERVICES—			
	Continued			
187	Agent in France : salary and allowance for office rent, &c.....		3,000 00	
188	Annuity to Miss Marie Regina Drolet, by Res. Leg. Assembly of 3rd February, 1890.....		200 00	
189	Bar of the Province of Quebec : aid towards the publication of Judicial Reports ...		3,000 00	
190	Special officer, North Coast of the St. Lawrence : salary and travelling expenses. O. C. No. 51, of 31st January, 1896....		1,200 00	
191	Province of Quebec Rifle Association, Montreal		400 00	42,300 00
	XV.—RAILWAYS			
192	Towards the payment of one year's interest to 30th June, 1906, at 3 per cent. per annum, on \$25,000, purchase price of the Fuel Yard, Quebec, acquired for the Quebec, Montreal, Ottawa and Occidental Railway....		750 00	
	Q. M. O. & O. Railway, Construction :			
193	Estate Sauriol : in full settlement of a further claim re. right of way substituted. Revote of lapsed amount.....		29 61	779 61
	Total.....			2,547,822 40

C H A P . 2

An Act respecting the appropriation of the price of the Quebec, Montreal, Ottawa and Occidental Railway, and of the grant to the Government of the Province of Quebec under the Federal Act 47 Victoria, chapter 8, to the payment of the consolidated debt of the Province

[Assented to 9th March, 1906]

Preamble.

WHEREAS, by the Quebec act 45 Victoria, chapter 21, the price of the sale of the Quebec, Montreal, Ottawa and Occidental Railway was appropriated, as follows, to the payment of certain loans of the Province outstanding at that time, viz:

To the loan under 41 Victoria, chapter 1 (1878) . . \$3,000,000.00
 To the loan under 39 Victoria, chapter 4 (1876) . . 4,059,773.33
 To the loan under 37 Victoria, chapter 2 (1874) . . 540,226.67

Whereas, by the Quebec act 49 Victoria, chapter 2, the sum of \$2,394,000.00, granted under the Dominion act 47 Victoria, chapter 8, by the Government of the Dominion of Canada to the Government of the Province of Quebec, in consideration of its having constructed the railway from Quebec to Ottawa, was appropriated to the payment of so much of the loan made under the act 37 Victoria, chapter 2, which sum of \$2,394,000.00 is still in the hands of the Dominion Government, on which it pays interest half-yearly, the principal being subject to the demand of the Province of Quebec;

Whereas certain of the debentures of the above-mentioned three loans have been converted under the act 60 Victoria, chapter 2, and the outstanding balances of these loans are now as follows, viz:

Loan of 1874, due 1st May, 1904, extended to
 1st May, 1906 \$2,723,873.33
 Loan of 1876, due 1st May, 1906 3,111,746.67
 Loan of 1878 due 1st November, 1908 2,698,000.00;

Whereas the Canadian Pacific Railway Company paid, on the 1st March, 1906, the sum of \$7,000,000.00, owing by them, being the balance of the price of the sale of the said railway;

Whereas it is in the public interest that the balance outstanding of the loan of 1874, due on the 1st May, 1906, should be paid out of the price of the Quebec, Montreal, Ottawa and Occidental Railway paid on the 1st March, 1906, and so obviate the necessity of holding the sum of \$2,698,000.00, amount outstanding of the loan of 1878, on deposit at a low rate of interest;

And whereas an appropriation for the payment of the loan made under the act 41 Victoria, chapter 1, maturing 1st No-

vember, 1908, equal to the full amount thereof, must be maintained;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

1. The sum of \$2,723,873.33 of the sum of \$3,000,000.00, being part of the price of the sale of the Quebec, Montreal, Ottawa and Occidental Railway, appropriated by the Quebec act 45 Victoria, chapter 21, section 3, is hereby transferred and appropriated to the payment of the outstanding debentures of the loan made under the Quebec act 37 Victoria, chapter 2. Transfer of certain sums to payment of debentures under 37 V., c. 2.

2. The grant by the Dominion Government to the Quebec Government of the sum of \$2,394,000.00 above mentioned, appropriated by the Quebec act 49 Victoria, chapter 2, to the payment of the loan made under the Quebec act 37 Victoria, chapter 2, is hereby transferred and appropriated to the payment of so much of the outstanding debentures of the loan made under the Quebec act 41 Victoria, chapter 1, and the sum of \$304,000.00 of the sum of \$7,600,000.00, the price of the sale of the Quebec, Montreal, Ottawa and Occidental Railway, being part of the balance of the price of the sale of the said railway remaining after the payment of the outstanding debentures of the loans made under the acts 37 Victoria, chapter 2, and 39 Victoria, chapter 4, shall remain appropriated to the payment of so much of the outstanding debentures of the loan made under the act 41 Victoria, chapter 1, this amount, together with the sum of \$2,394,000.00 above appropriated, being equal to the sum \$2,698,000.00 outstanding debentures of the loan made under the act 41 Victoria, chapter 1, becoming due on the 1st November, 1908. Appropriation of Dominion grant to payment of debentures under 41 V., c. 1. Application of \$304,000 to payment of debentures under 41 V., c. 1. Making full amount of debentures due 1st Nov. 1908.

3. The interest upon the sum of \$2,394,000.00 in the hands of the Dominion Government and upon the sum of \$304,000.00, part of the price of the Quebec, Montreal, Ottawa and Occidental Railway invested, shall be applied to the payment of the interest upon the loan made under the act 41 Victoria, chapter 1. Application of certain interest to payment of interest on loan under 41 V., c. 1.

4. The balance of the sum of \$7,600,000.00, the price of the Quebec, Montreal, Ottawa and Occidental Railway, after deducting the sum of \$2,723,873.33 hereby appropriated to the payment of the outstanding debentures of the loan of 1874, and of the sum of \$304,000.00 hereby appropriated to the payment of part of the loan of 1878, and of the sum of \$3,111,746.67 appropriated by the act 45 Victoria, chapter 21, to the payment of the loan of 1876, viz: the sum of \$1,460,380.00 is hereby appropriated to the payment of the sum of \$700,000.00 temporary Certain sums appropriated to payment of temporary loan of 30th June, 1897, and sinking fund of 3 per cent. inscribed stock under 60 V., c. 2.

loan of the Province made on the 30th June, 1897, and to the payment of the sinking fund of the three per cent. inscribed stock issued under the act 60 Victoria, chapter 2.

Holders of debentures under 41 V., c. 1, may apply for payment of bonds upon certain notice before they are due.

5. Notwithstanding the preceding provisions, any of the holders of the outstanding debentures of the loan made under the act 41 Victoria, chapter 1, may, on the first day of May or the first day of November in any year prior to the maturity of that loan on the 1st November, 1908, present their debentures at the Bank of Montreal, in London, or the agency of the Bank of Montreal, in New York, for payment, on giving three months notice to that effect to the Provincial Treasurer at Quebec.

Inconsistent provisions of 45 V., c. 21 and 49 V., c. 2, repealed.

6. The provisions of the acts 45 Victoria, chapter 21, and 49 Victoria, chapter 2 are repealed, in so far as they are inconsistent with the provisions of this act.

Coming into force.

7. This act shall come into force on the day of its sanction.

CHAP. 3

An Act respecting the payment of Government claims

[Assented to 9th March, 1906]

HIS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

Retention of amount due Government out of deposits there-with.

1. It shall be lawful for the Lieutenant-Governor in Council, whenever he considers it advisable so as to safeguard the interests of and obviate a pecuniary loss to the Province, to authorize the Provincial Treasurer, out of any deposit made in the Treasury Department in virtue of any statute or otherwise, to retain the amount of any indebtedness that may be due the Crown either by the person who made the deposit or to whom it is payable, and apply such sum in liquidation of such claim.

CHAP. 4

An Act respecting subsidies to certain Railway Companies

[Assented to 9th March, 1906]

HIS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

1. It shall be lawful for the Lieutenant-Governor in Council to grant the subsidies hereinafter mentioned, to aid the building of the railways hereinafter enumerated:

Subsidies to certain railways:

- a. To the Atlantic, Quebec and Western Railway Company, to aid it to construct 50 miles of its road from a point at or near Gaspé Basin running in the direction of Causapscal on the line of the Intercolonial Railway, passing through the interior of the peninsula of Gaspé, a subsidy of 4,000 acres of land per mile, not convertible into money, in lieu of the subsidy granted by the act 4 Edward VII, chapter 2, section 1, paragraph (a); Atlantic, Quebec and Western;
 To the same company, to aid it to construct 100 miles of road from Paspebiac to Gaspé, following the shore as nearly as possible, a subsidy of 4,000 acres per mile, not convertible into money, in lieu of the subsidy granted by the act 4 Edward VII, chapter 2, section 1, paragraph (a); Id.;
- b. To the Matane and Gaspé Railway Company, a subsidy of 4,000 acres of land per mile, not convertible into money, to aid it to build 30 miles of its road, from a point at or near St. Octave de Métis, on the Intercolonial Railway, as far as Matane, in lieu of the subsidy granted by the act 4 Edward VII, chapter 2, section 1, paragraph (b); Matane and Gaspé;
- c. To the Quebec and Lake St. John Railway Company, a subsidy of 3,000 acres of land per mile, not convertible into money, to aid it to build 2 miles of railway on the La Tuque branch, from the 38th mile as far as La Tuque on the River St. Maurice; Quebec and Lake St. John,
- d. To the same company, to aid it to build one mile of railway from Roberval to the government wharf at Lake St. John, a subsidy of 4,000 acres of land, not convertible into money, in lieu of the subsidy granted by the act 4 Edward VII, chapter 2, section 1, paragraph (i); Id.;
- e. To the same company, to aid it to complete 3.8 miles of its line from Valcartier to St. Catherine, a subsidy of 3,000 acres of land per mile, not convertible into money; Id.;

- Id.; *f.* To the same company, a subsidy of 3,000 acres of land per mile not convertible into money, to aid it to build $4\frac{1}{2}$ miles of a branch line of railway from Valcartier station, running in the direction of the township of Gosford. This subsidy and that mentioned in paragraph *e* shall be granted on the condition that the company shall establish a free roadway of seven feet and six inches in breadth on each side of the railway bridge over the river Jacques Cartier and roads at each extremity of the bridge for foot passengers, vehicles and animals, according to plans to be approved by the Lieutenant-Governor in Council;
- Id.; *g.* To the same company, a subsidy of 3,000 acres of land per mile, not convertible into money, to aid it to build 12 miles of railway to prolong the Valcartier branch mentioned in paragraph *f*, as far as the township of Gosford, including a branch of $3\frac{1}{2}$ miles to a point on the River aux Pins in the parish of St. Gabriel West;
- Quebec Central Railway; *h.* To the Quebec Central Railway Company, a subsidy of 4,000 acres of land per mile, not convertible into money, on a length of 9 miles, for the extension of its road from St. Francis to St. George, Beauce, in lieu of the subsidy granted by the act 4 Edward VII, chapter 2, section 1, paragraph (*e*), and on condition that the road be constructed and completed within a delay of two years from the coming into force of this act;
- Joliette and Lake Manuan Colonization; *i.* To the Joliette and Lake Manuan Colonization Railway Company, to aid it to build 60 miles of its road from Joliette running in the direction of Manuan lake, a subsidy of 4,000 acres of land per mile, not convertible into money, in lieu of the subsidy granted by the act 4 Edward VII, chapter 2, section 1, paragraph (*f*);
- Interprovincial and James Bay; *j.* To the Interprovincial and James Bay Railway Company, for a line of railway of 50 miles, running from the present terminus of the line of the Canadian Pacific Railway at Gordon Creek to Ville Marie, a subsidy of 4,000 acres of land per mile, not convertible into money, in lieu of the subsidy granted by the act 4 Edward VII, chapter 2, section 1, paragraph (*g*);
- Pontiac and Interprovincial; *k.* To the Pontiac and Interprovincial Railway Company, to aid it to build a railway of 20 miles in length, from Waltham Station to Ferguson's Point, in the county of Pontiac, a subsidy of 4,000 acres of land per mile, not convertible into money, in lieu of the subsidy granted by the act 4 Edward VII, chapter 2, section 1, paragraph (*h*);

- l. To the Northern Colonization Railway Company to aid Northern Colonization; it to extend the construction of 32 miles of railway from Nominigue to L'Original Rapid, a subsidy of 3,000 acres of land per mile, not convertible into money;
- m. To the St. Maurice Valley Railway Company, a subsidy St. Maurice Valley; of 2,000 acres of land per mile, not convertible into money, to aid it to build 30 miles of railway, from a point in the city of Three Rivers, and running in a northwesterly direction on the west bank of the river St. Maurice to a point situated between Grey's Falls and Chevalier Point; thence passing to the eastern bank of the river St. Maurice and running in a northerly direction to a point where, crossing the river St. Maurice, the line enters the town of Shawinigan Falls; thence, traversing the town of Shawinigan Falls and following the valley of the river St. Maurice in a northerly and northeasterly direction to a point in or near the town of Grand'Mère, and thence in a northerly and northwesterly direction to a point of junction on the National Transcontinental;
- n. To the Great Northern Railway Company of Canada, a Great North- subsidy of 2,000 acres of land per mile, not convertible into money, to aid it to build 85 miles of railway, from Canada; a point at or near the city of Quebec to a point of junction on the Great Northern Railway, at or near Garneau Junction or Grand'Mère;
- o. To the Lotbinière and Mégantic Railway Company, a Lotbinière and Mégantic; subsidy of 2,000 acres of land per mile, not convertible into money, to aid it to build 60 miles of railway from Lyster station in the township of Nelson, county of Mégantic, running towards Lime Ridge, county of Wolfe;
- p. To a railway company, to aid it to build 10 miles of rail- From Hé- way, starting from a point in the village of Hébertville, bertville in the county of Lake St. John, running towards St. towards St. Joseph d'Alma, a subsidy of 4,000 acres of land per Joseph d'Alma; mile, not convertible into money, in lieu of the subsidy granted by the act 4 Edward VII, chapter 2, section 1, paragraph (j);
- q. To a railway company, to aid it to build 30 miles of railway From Roberval towards James Bay; from Roberval, running towards the west in the direction of James Bay, a subsidy of 4,000 acres of land per mile, not convertible into money, in lieu of the subsidy granted by the act 4 Edward VII, chapter 2, section 1, paragraph (k);
- r. To a railway company, to aid it to build 20 miles of rail- From Jon- way, running from Jonquières in the direction of Ha! Ha! quières to- wards Ha! Bay, a subsidy of 4,000 acres of land per mile, not con- Ha! Bay;

- vertible into money, in lieu of the subsidy granted by the act 4 Edward VII, chapter 2, section 1, paragraph (l);
- Great North-
ern of Can-
ada;
- s. To the Great Northern Railway Company of Canada, a subsidy of 2,000 acres of land per mile, not convertible into money, to aid it in the construction of 18 miles of railway, from St. Sauveur as far as St. Jérôme, in the county of Terrebonne;
- Orford
Mountain
Railway;
- t. To the Orford Mountain Railway Company, a subsidy of 2,000 acres of land per mile, not convertible into money, to aid it in building 5 miles of railway from Eastman in the township of Stukely, county of Shefford, as far as Lake Bonallie, in the township of Orford, county of Sherbrooke;
- Id.
- u. To the Orford Mountain Railway Company, to aid it in building 10.84 miles of its line from Kingsbury, running in the direction of Windsor Mills, a subsidy of \$4,000 per mile, but not to exceed in all \$43,375.50. This subsidy to be in lieu of the unexpired balance of those which were granted by the acts 52 Victoria, chapter 86, section 3; 54 Victoria, chapter 88, section 1, paragraph (cc); 62 Victoria, chapter 4, section 4; 2 Edward VII, chapter 2, section 2, and 4 Edward VII, chapter 2, section 9. Such subsidy shall be paid to the company by section of 10 miles of railway completed to the satisfaction of the railway engineer of the Department of Public Works and Labour.
- Mines, &c.,
reserved to
Crown.
2. The mines and minerals, as defined in the Quebec Mining Law, including coal and petroleum, which may be in or on the lands granted under this act, are reserved in favor of the Crown.
- When sub-
sidies in land
exigible.
3. All the subsidies in land provided for in section 1 of this act shall be exigible as follows:
- a. Upon the completion of the portion of the road for which the subsidy was granted, if such portion of road is less than 10 miles in length;
- b. Upon the completion of each section of 10 miles, in the proportion which the cost of such completed section bears to that of the whole of the subsidized portion of the road.
- Choice and
location of
lands.
4. The choice of the lands so to be given as subsidy shall be left entirely to the Lieutenant-Governor in Council: the lands chosen shall not be comprised within any timber limits under license at the time of the grant, and shall, as much as possible, be located along or in the neighborhood of each railway for which they are granted.

5. The granting of the subsidies in land under this act and the acceptance thereof by the respective companies, shall be subject to the following conditions: Conditions of grant of subsidies.

- a. The cost of the inspection and survey of the lands granted shall be paid by the company to which they are granted;
- b. The company shall be obliged to sell, within the delay from time to time fixed by the Minister of Public Works and Labour, to settlers in good faith who apply therefor, lots out of the lands granted as subsidies, at a price not exceeding \$2.50 per acre;
- c. The Minister of Public Works and Labour may, for the advancement of colonization and the convenience of settlers, indicate the places where the company shall erect stations upon its line, and such stations shall be erected accordingly;
- d. The Lieutenant-Governor in Council shall have absolute control, at all times, over the rates and tolls to be levied and imposed by the company upon its railway;
- e. The company shall build its road with rails made and purchased in Canada, and shall equip its line with materials also so made and purchased, unless such rails and materials can not be procured in Canada at as low a price and upon as favorable conditions as elsewhere, and unless such company has been previously authorized by the Lieutenant-Governor in Council to procure such rails and materials outside Canada;
- f. The railway shall be built in accordance with plans, profiles, books of reference, specifications and estimates, and under the conditions approved by the Lieutenant-Governor in Council, upon the report of the Minister of Public Works and Labour.

6. The works of construction upon the railways for which subsidies in land shall be granted under this act, shall be commenced, if not so already, within two years next after the first of July, 1906, and be completed within a reasonable delay to be determined by the Lieutenant-Governor in Council, not to exceed four years from the said date, except in so far as the 9 miles mentioned in paragraph h of section 1 of this act are concerned; and, in default of the commencement and completion of the works within the prescribed delays, the subsidies shall lapse for that portion of the railway which then remains incomplete. Commencement and completion of works.

Contract to be entered into between Department of Public Works and Labour and railway company subsidized.

7. Before commencing or resuming works, the company to which subsidies in land shall be granted shall enter into a contract in writing with the Department Public Works and Labour, determining the conditions and nature of the works to be performed on the road, and the share of the subsidy to be assigned to each section of ten miles of a continuous and uninterrupted road, in proportion to the cost of building the whole line or the subsidized portion thereof, as estimated by the railway engineer of the Department; and every such company shall, before claiming any part of the subsidies provided for in section 1 of this act, establish to the satisfaction of the Lieutenant-Governor in Council that it has the means necessary to complete its road and to maintain it in regular operation.

Notice to Minister of Public Works and Labour that railway is ready for inspection.

8. The company to which a subsidy shall be granted under this act shall notify the Minister of Public Works and Labour whenever any section of its road is ready for inspection by the railway engineer of the Department and that in consequence it requires such inspection and report.

Extension of delay to complete Orford Mountain Railway.

9. The prescribed delay within which the works upon the Orford Mountain Railway, upon that part mentioned in paragraph *u* of section 1 of this act, are to be completed, is extended to the 31st December, 1907.

Coming into force.

10. This act shall come into force on the day of its sanction.

CHAP. 5

An Act respecting the contract entered into between the Government and *La Congrégation des Filles de Jésus*, concerning the maintenance and education of children of both sexes belonging to the North Shore of the Gulf of St. Lawrence (Labrador), sent to their reformatory and industrial schools at Esquimaux Point, in the county of Saguenay

[Assented to 9th March, 1906]

HIS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

Contract of 13th June,

1. The contract, hereinafter set forth as Schedule A, respecting the maintenance and education of children of both sexes

belonging to the North Shore of the Gulf of St. Lawrence (Labrador), sent to their reformatory and industrial schools at Esquimaux Point, in the county of Saguenay, passed on the thirteenth day of June, nineteen hundred and five, before Joseph Allaire, notary, between the Government of the Province of Quebec and *La Congrégation des Filles de Jésus*, as approved by order of the Lieutenant-Governor in Council, dated the nineteenth of July, nineteen hundred and five, hereinafter set forth as Schedule B, is approved and ratified.

2. This act shall come into force on the day of its sanction. Coming into force.

SCHEDULE A

CONTRACT

On the thirteenth day of June, in the year one thousand nine hundred and five,

Before JOSEPH ALLAIRE, Notary Public for the Province of Quebec, residing at Quebec, the undersigned,

APPEARED:

HIS MAJESTY KING EDWARD THE SEVENTH, herein represented by the Honorable RODOLPHE ROY, of the City of Quebec, Advocate, and King's Counsel, acting herein in his quality of Secretary and Registrar of the Government of the Province of Quebec, and to the effect of these presents duly authorized by an order in council of the Honorable the Executive Council of the Province of Quebec, a certified copy whereof is annexed to the original minute of these presents, after being signed by the parties and the said notary, *ne varietur*

Party of the first part,

AND

LA CONGRÉGATION DES FILLES DE JÉSUS, a body politic and corporate, having its chief place of business at the city of Three Rivers, hereto represented by the Reverend *Sœur Marie de Sainte Elizabeth*, duly authorized in virtue of a resolution of the provincial council of *Les Filles de Jésus*, cassed at the city of Three Rivers, on the 31st of May last,

(1905), hereto annexed, and also with the consent and approval of His Grace *Monseigneur François Xavier Cloutier*, Bishop of the Diocese of Three Rivers, which consent is dated the 9th of June instant and is at the foot of the aforesaid resolution,

Party of the second part.

Which parties have entered into the following agreements and stipulations, that is to say:—

1. The said *Congrégation des Filles de Jésus*, authorized as aforesaid as appears by the resolution hereto annexed, agree to receive, lodge, feed, clothe and teach all the children of both sexes belonging to the North Shore of the Gulf of St. Lawrence (Labrador), who shall be sent to their reformatory and industrial schools at Esquimaux Point; to give them all the necessary care, as well in health as in sickness, and, in case of death, to bury at their expense all the bodies which have not been claimed, to teach them to work in accordance with their age, and, in general, to deal with the said children both for the said reformatory school as for the said industrial school and to require them to work so as to give perfect satisfaction, and to carry out the ends for which the said schools have been established.
2. The said *Congrégation des Filles de Jésus* shall, for the purposes of the present contract, be submitted and be subject to the laws of this Province respecting reformatory and industrial schools.
3. In case any of the children confided to them should desert, the said *Congrégation des Filles de Jésus* shall be obliged to have them arrested and brought back at their own expense.
4. The said *Filles de Jésus* shall be obliged to furnish to the Department of the Provincial Secretary of the Province a monthly report. in which they shall give the date of the entry, that of the desertion, that of the temporary discharge, that of the readmission, that of the final discharge, as well as that of the death of each of the said children.
5. The said *Filles de Jésus* shall be further bound to furnish the Provincial Secretary with information respecting each child placed out of the said schools.
6. The number of children which the said *Filles de Jésus* shall be so obliged to receive for the said reformatory and industrial schools under this contract shall be not more than eight, save as hereinafter provided when there are more than eight.
7. The said *Filles de Jésus* further undertake to receive in their establishment at Esquimaux Point and there gratuitously to feed, clothe and teach at least ten young girls who are poor

but intelligent belonging to the said North Shore (Labrador), to give them all necessary care as well in health as in sickness, and, in case of death, to bury at their expense all the bodies which have not been claimed by their families; and to teach them French and English so as to give perfect satisfaction and to qualify them as teachers capable of giving good primary instruction.

8. The authorities of the said school shall be obliged to furnish to the Department of the Secretary of the Province of Quebec, an annual report in which they shall give the name and age of each of the said young girls, the date of entry and of leaving. The said report shall also indicate the progress made by each of the said young girls, the satisfaction given, the talent which they may have exhibited and the place where each has applied herself to teaching after leaving the said *Filles de Jésus*.

9. The Government of the Province of Quebec undertakes on its part to pay the said *Filles de Jésus* for keeping the said reformatory and industrial schools a sum of one thousand dollars per annum, the payments to be distributed in accordance with an agreement between the parties hereto.

10. The Government of this Province binds itself towards and agrees with the *Filles de Jésus* to pay them the said sum of one thousand dollars as a minimum, whether there are eight children or less at their said reformatory and industrial schools; but upon the special condition that the number of young girls destined to become teachers as above provided shall be always ten at least.

11. The Government of this Province shall pay nothing for the young girls destined to become teachers above the number of ten, but it will pay in addition to the said sum of one thousand dollars a sum of five dollars and one-half per month for each of the said children exceeding the number of eight who may be sent to the said establishment at Esquimaux Point in virtue of the laws of the Province respecting reformatory and industrial schools.

12. In addition to the persons authorized by law so to do, it shall be lawful for the members of the Legislative Council and of the Legislative Assembly of the Province of Quebec, members of the Executive Council, as well as the bishop of the diocese and his vicars general, at any time, to visit, at suitable hours, the said house at Esquimaux Point so kept by the said *Filles de Jésus*.

13. The authorities of the said school shall comply with the instructions which the inspectors of prisons and asylums and the Provincial Secretary may give them from time to time.

14. In default of the said *Filles de Jésus* carrying out the clauses and conditions hereinbefore stipulated, this contract shall become null and of no effect for all lawful purposes.

The present contract is for a term of ten years, computing from the first of July, nineteen hundred and five, and shall expire on the first of July, nineteen hundred and fifteen.

It is understood that an order in council shall be passed to ratify these presents as soon as completed, and that this contract shall be also ratified by an act of the Legislature.

DONE AND PASSED, at Quebec, in the office of the Honorable the Provincial Secretary, on the day, month and year aforesaid, under the number eleven thousand, eight hundred and eighty-three of the minutes of the said Joseph Allaire.

The parties have signed in the presence of the said notary, after the same has been duly read.

(Signed) L. RODOLPHE ROY,
 " SR. MARIE DE STE. ELIZABETH,
F. de J., Provinciale.

" JOS. ALLAIRE, N. P.

True copy of the original remaining of record in my office.

JOS. ALLAIRE, N. P.

COPY of the report of a committee of the Honorable the Executive Council, dated 4th January, 1905, approved by the Lieutenant-Governor 7th January, 1905

No. 20. *Respecting certain contracts with the Convents of the Good Shepherd of Quebec and Montreal, the Sisters of Charity of Levis and of Esquimaux Point, and the Marist Fathers of Montfort, for reformatory and industrial schools*

The Honorable the Provincial Secretary, in a report dated the third of January, 1905, sets forth:

That, by a resolution of the Legislative Assembly of January, 1895, the Government was authorized to and in fact did pass contracts for the custody and maintenance of children sent to the reformatory and industrial schools, with the convents of the Good Shepherd of Quebec and Montreal, the Sisters of Charity of Levis and Esquimaux Point and the Marist Fathers of Montfort;

That these contracts with the said communities expire this year, and it is in the public interest that they be renewed upon the same conditions or subject to the modifications deemed necessary by the Honorable Secretary;

Wherefore the Honorable Secretary proposes that he be authorized to sign, subject to approval by the Lieutenant-Governor in Council, with the above mentioned communities, or any other, if any of them are not prepared to renew the existing contracts, contracts upon the conditions he may deem necessary, provided the total sum involved does not exceed the annual sum of twenty-seven thousand dollars; such contracts to be approved by the Legislature.

Certified.

GUSTAVE GRENIER,
Clerk, Executive Council.

This is the copy of the Order in Council referred to in the annexed contract, executed between the Government of Quebec and *La Congrégation des Filles de Jésus*, before Joseph Allaire, the undersigned notary, the thirteenth day of June, nineteen hundred and five.

(Signed) L. RODOLPHE ROY,
" SR. MARIE DE STE. ELIZABETH,
" F. de J., *Provinciale.*
" JOS. ALLAIRE, N. P.

True copy.

JOS. ALLAIRE, N. P.

EXTRACT from the Register of Deliberations of the Provincial Council of *Les Filles de Jésus*, held at Three Rivers, the 31st May, 1905

Respecting the proposed establishment held up to last year by the Reverend *Sœurs de Charité*, of Quebec, at Esquimaux Point, and of which it is proposed that we take charge for the future, the council of our provincial house has unanimously adopted the following resolutions:

1. The said *Filles de Jésus* accept the draft contract with the Government of the Province of Quebec, represented by the Honorable Louis Rodolphe Roy, provincial secretary, respecting a reformatory and industrial school and the training of

teachers, which school shall be kept by them at Esquimaux Point.

The said contract shall fix the board of the children as it shall be mentioned therein and guarantee to the institution a number of children sufficient at least to reach the sum of one thousand dollars per annum from the first of July, 1905.

2. *Sœur Marie de Sainte Elizabeth* is authorized to sign the said contract.

Convent of *Les Filles de Jésus*,

Three Rivers, the 31st May, 1905.

(Signed) SR. MARIE LE GALLO,
 dite MARIE DE STE. ELIZABETH.

“ SR. JEANNE MARIE JEGAT,
 dite MARIE DU ST. SEPULCRE.

“ SR. MARIE VINCENTE LE QUER,
 dite MARIE STE. BATHILDE.

Seen and approved,

† F. X., *Bishop of Three Rivers.*

Ste. Ursule, 9th June, 1905.

This is the resolution of the *Congrégation des Filles de Jésus*, followed by the consent of His Grace Mgr. F. X. Cloutier, Bishop of Three Rivers.

Quebec, 13th June, 1905.

(Signed) L. RODOLPHE ROY,

“ SR. MARIE DE STE. ELIZABETH,

“ JOS. ALLAIRE, N. P.

True copy.

JOS. ALLAIRE, N. P.

SCHEDULE B

COPY of the Report of a Committee of the Honorable the Executive Council, dated the 18th July, 1905, approved by the Lieutenant-Governor on the 19th July, 1905

No. 468. *Respecting a contract with La Congrégation des Filles de Jésus*

The Honorable the Provincial Secretary, with a memorandum dated the 17th of July, 1905, submits to the Council, for approval and ratification, the contract passed before Mtre. Joseph Allaire, notary public, of the city of Quebec, in virtue of an order in council dated the 7th January, 1905, with *La Congrégation des Filles de Jésus*, which has its head office at the city of Three Rivers, for the lodging, maintenance and instruction of children of both sexes belonging to the North Shore of the Gulf of St. Lawrence (Labrador), who shall be sent to their reformatory and industrial schools at Esquimaux Point.

Certified.

GUSTAVE GRENIER,
Clerk, Executive Council.

CHAP. 6

[Assented to 9th March, 1906]

An Act respecting the Supreme Court of Canada and the Exchequer Court of Canada

HIS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

1. The Supreme Court of Canada and the Exchequer Court of Canada, or the Supreme Court alone, according to the provisions of chapter 135 of the Revised Statutes of Canada, shall have jurisdiction in the following cases : Jurisdiction of Supreme and Exchequer Court of Canada in certain cases.

1. Of controversies between the Dominion of Canada and this Province;

2. Of controversies between any other province of the Dominion, which may have passed an act similar to the present act, and this Province.

Provisions
for sittings of
court in
court-houses.

2. In case sittings of the Exchequer Court of Canada are appointed to be held in any city, town or place in which a court-house is situated, the judge presiding at any such sittings shall have, in all respects, the same authority as a judge of the Superior Court in regard to the use of the court-house and other buildings or apartments set apart in such place for the administration of justice.

Coming into
force.

3. This act shall come into force on the day of its sanction.

CHAP. 7

An Act to amend the Quebec Election Act, 1903

[Assented to 9th March, 1906]

HIS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

3 Ed. VII, c.
9, art. 58,
amended.

1. Article 58 of the act 3 Edward VII, chapter 9, is amended by replacing the word: "three" in the sixth line by the word: "six."

Id., 63, re-
placed.
Division of
municipality
into polling
subdivisions.

2. Article 63 of the said act is replaced by the following:

"63. Whenever the number of electors shall exceed two hundred in any municipality, the council of such municipality shall, before the first of December, in each year, by a by-law made in the ordinary way, divide the municipality into as many voting subdivisions as there are two hundred electors, by adding one voting subdivision for each fraction over such number; provided always that each district shall not exceed in extent eight miles in length and eight miles in width.

To contain
equal num-
ber of elect-
ors.
Defining of
divisions.

The voting subdivisions shall as much as possible contain an equal number of electors.

Polling dis-
tricts in
Montreal.

The limits of these subdivisions shall be well defined, and shall not divide any immoveable property under which an elector is entitled to vote.

Uniting of
several to
form one
with two
hundred
electors, &c.

In the city of Montreal, the polling districts for the purposes of voting at municipal elections of the city shall be the voting subdivisions for provincial elections.

The returning-officers in the electoral districts comprised in the city of Montreal shall unite the polling districts of the city until they reach the number of two hundred electors upon the lists for such divisions, and open only one poll for such divisions so united."

CHAP. 8

An Act to amend the Quebec Controverted Elections' Act

[*Assented to 9th March, 1906*]

HIS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

1. Article 478 of the Revised Statutes is amended by re-R. S., 478, placing the word: " or ", in the second line of paragraph amended.
1, by the word: " and ".

2. Article 479 of the Revised Statutes, as amended by the Id., 479, act 4 Edward VII, chapter 9, section 1, is further amended by amended.
replacing the first two lines of the affidavit therein by the following:

" I (*name*), the petitioner (*or we, names, the petitioners, as the case may be*), being duly sworn, do depose and say:

That I was (*or we were*) duly qualified to vote at the election to which the foregoing (*or, annexed, as the case may be*) petition relates and my name was (*or our names were, as the case may be*) entered on the list of electors for which availed at such election."

3. This act shall come into force on the day of its sanction. Coming into force.

CHAP. 9

An Act to amend the Quebec License Law

[*Assented to 9th March, 1906*]

HIS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

1. Paragraph 12 of article 2 of the act 63 Victoria, chapter 63 V., c. 12, 12, is amended by inserting, after the words: "in which", in the art. 2, § 12, first line, the words: "intoxicating liquor is sold only to members amended.
of the club, or to non-residents enjoying the privileges of the club for a limited length of time fixed by the rules of the club, and in which".

Id., art. 2, § 17, amended. **2.** Paragraph 17 of article 2 of the said act, as amended by the act 5 Edward VII, chapter 13, section 1, is further amended by adding thereto the following words:

Where bottler's establishment to be. "The bottler's establishment must be situated within the limits of the municipality, the council whereof has confirmed his license certificate; and no bottler is allowed to have any bottling establishment or place for the storage of the fermented liquors mentioned in this paragraph in any other part of the territory covered by his license."

§ added to id, art. 2 after 21: **3.** The following paragraph is added to article 2 of the act 63 Victoria, chapter 12, after paragraph 21:

Rights under auctioneer's liquor license. "21a. An auctioneer's liquor license gives the right to sell intoxicating liquors in the quantities mentioned in paragraph 10 of this article, when such liquors form part of the stock of a deceased person or of one who, whether for reasons of insolvency or otherwise, is selling off his stock, goods or effects, in the municipality in which he carried on business."

Id., art. 10 amended. **4.** Article 10 of the said act is amended by inserting after the words: "transfer of licenses," in the second line, the words: "and as to voluntary or judicial abandonments made by *bona fide* insolvents."

Id., art. 26, § 2, replaced. **5.** 1. The second paragraph of article 26 of the said act, as amended by the act 2 Edward VII, chapter 13, section 5, is replaced by the following:

Preference to be given to certain premises. "Notwithstanding the provisions of the first paragraph of this article, preference shall be given, in respect of applications for hotel licenses, to premises specially constructed and fitted up to serve as hotels, provided such hotels have twenty-five bed-rooms or more."

Interpretation of paragraph. **2.** The preceding paragraph of this section shall not be interpreted as declaring that the law was previously different from that therein expressed.

Id., art. 26, § 3 amended. **3.** The third paragraph of the said article 26 of the said act, 63 Victoria, chapter 12, is amended by adding thereto the following: "except in cases where the lessor demands from the licensee an increase of rental, or refuses to renew the lease in favor of the same licensee for reasons deemed insufficient by the license commissioners."

Id., art. 28, replaced. **6.** Article 28 of the said act 63 Victoria, chapter 12, as amended by the acts 1 Edward VII, chapter 11, section 2, and 5 Edward VII, chapter 13, sections 12 and 13, is replaced by the following:

Number of hotel and restaurant. "**28.** Within the limits of the city of Montreal, as they existed on the first of January, 1905, the number of hotel and restaurant licenses is for the present limited to a maximum of

four hundred; in the city of Quebec, to a maximum of one hundred and fifty for the year 1906-1907, and to a maximum of one hundred and twenty-five from the 1st May, 1907; in St. Henri ward of the city of Montreal, to a maximum of thirty-one; in Ste. Cunegonde ward of the city of Montreal, to a maximum of twenty-three; in the city of Three Rivers, to a maximum of twelve; in the town of St. John's, to a maximum of twelve; in the city of Valleyfield, to a maximum of ten; in the city of St. Hyacinthe, to a maximum of eighteen; in the town of Maisonneuve, to a maximum of twenty-four; in the town of Lachine, to a maximum of nine; in the city of Sorel, to a maximum of eighteen; in the town of Ierville, to a maximum of four; and in the city of Hull, to a maximum of thirty-four, respectively; but, as respects the city of Hull, this number shall be reduced, as the present holders of licenses cease to do business, to a maximum of twenty; and these numbers shall not be exceeded hereafter, until the population of the said cities shall have so increased that an increase in the number of hotel and restaurant licenses therein may be made in such wise that there shall never be more than one such license to every thousand souls of the population of each of the said cities; and this proportion shall be adhered to thereafter.

The provision of the next preceding paragraph respecting the maintenance of licenses in the territory of annexed municipalities is subject to any general reduction which may be made in the future in the number of licenses in the cities of Montreal and Quebec.

In the event of the annexation to the cities of Quebec or Montreal of any of the neighboring municipalities, the number of licenses in force in such annexed municipality at the time of the annexation, shall be added to the number of licenses fixed by the said paragraph for each of the said cities of Quebec and Montreal; but in such wise that the number of licenses so in force in each such annexed municipality shall be maintained, after the annexation, in the territory previously belonging to the municipality. The provisions of this paragraph apply to St. Henri and Ste. Cunegonde wards of the city of Montreal, and to all other municipalities annexed or which may be annexed to either of the said cities of Quebec and Montreal.

In view of the reduction in the number of licenses in the city of Quebec to one hundred and twenty-five from the 1st May, 1907, the duty on such licenses shall be proportionately increased, so that the total revenue derived therefrom shall at all times remain the same as before the reduction in the number of licenses."

7. Clause b of paragraph 1 of article 36 of the act 63 Victoria, chapter 12, as amended by the act 5 Edward VII, chapter 13, section 16, is further amended:

licenses in
certain cities
and towns,
limited.

Proviso.

Effect of an-
nexation to
cities of
Quebec and
Montreal
upon such
limitation.

Increase of
license duty
in Quebec in
proportion
to diminution of number of li-
censes.

Id., art. 36,
§ 1 b, amend-
ed.

Second
clause re-
placed.
Tax on
transfer in
Montreal;

a. By replacing the second clause by the following:

"In the city of Montreal, upon each transfer made within twelve months of the date at which the transferror first obtained the license, one hundred per cent. of the license duty; and upon each transfer of a license which has been held by the transferror for more than one year, two hundred dollars. But when the transfer is granted in consequence of the death of the licensee, a sum of twenty-five dollars only shall be paid to the collector of provincial revenue upon the granting of the transfer; when it is granted in consequence of a judicial or voluntary abandonment in case of *bona fide* insolvency, a sum of seventy-five dollars shall be paid to the collector of provincial revenue upon the granting of the transfer, and in the case of joint stock companies which take out their license in the name of one of their employees, whenever any such company transfers its license from one of its employees to another, the amount payable to the collector upon the granting of the transfer, shall also be twenty-five dollars;"

In Quebec.

b. By adding after the words: "granting of the transfer", in the eleventh line of the third clause, the words: "when it is granted in consequence of a voluntary or judicial abandonment in a case of a *bona fide* insolvency, a sum of fifty dollars shall be paid to the collector of provincial revenue upon the granting of the transfer."

Id. art. 36,
§2, amended.
Tax on
transfer in
other places.

8. Paragraph 2 of article 36 of the act 63 Victoria, chapter 12, is amended by adding thereto the following:
"Upon each such transfer the following tax shall be paid to the collector of provincial revenue:

a. In every city, fifty dollars;

b. In every town, forty dollars;

c. In every other municipality, twenty-five dollars."

Id., art. 36,
§4, amended.

9. Paragraph 4 of article 36 of the act 63 Victoria, chapter 12, is amended by inserting after the words: "or to," in the third line, the words: "the provisional guardian or".

Id., art. 46,
amended.

10. Article 46 of the said act, as amended by the act 5 Edward VII, chapter 13, sections 18, 19 and 20, is further amended:

Clause added
to § 4.

a. By adding to paragraph 4 thereof the following: "and before any application for a club liquor license shall be considered by the Provincial Treasurer, such application must have been posted up for a period of fifteen days in a conspicuous place open to the public in the office of the clerk of the License Commissioners, if in either of the cities of Montreal or Quebec,

and in that of the clerk or secretary-treasurer of the municipality in all other municipalities; and the application, when addressed to the Provincial Treasurer, must be accompanied by a certificate of the said clerk or secretary-treasurer to the effect that this has been done."

b. By adding thereto the following paragraphs:

§§ added:

"6. No license shall issue authorizing the sale of intoxicating liquor in a club, unless the premises of such club be at least sixty feet distant from any licensed hotel or restaurant on the same side of the street.

License of clubs.

"7. No bar is allowed in any club licensed under this law.

No bar allowed.

"8. The Provincial Treasurer may, in his discretion, have any club licensed under this law inspected by such officer and at such times as he may see fit, in order to ascertain how the requirements of this law are observed in such club; and to that end such officer shall have access to all parts of the club and to the books and vouchers thereof, and the refusal to allow such inspection shall be an offence coming within the purview of article 119."

Inspection of clubs and their books, &c.

11. Article 47 of the act 63 Victoria, chapter 12, is amended by adding thereto the following clause:

Id., art. 47, amended.

"No holder of a retail liquor license shall employ commercial travellers to solicit and take orders in his interest."

No commercial travellers to be employed.

12. Article 47a of the act 63 Victoria, chapter 12, as enacted by the act 5 Edward VII, chapter 13, section 21, is amended:

Id., art. 47a, amended.

a. By adding to the first clause thereof the words: "including the condition requiring the maintenance of licenses in the territory previously belonging to the annexed municipality."

Words added to first clause.

b. By replacing the second clause thereof by the following:

Second clause replaced.

"As the number of retail liquor shops under license is gradually decreased, the duty on such licenses shall be proportionately increased, so that the total revenue derived therefrom shall at all times remain the same as before the reduction in the number of licenses."

Increase in rate of duty in proportion to decrease in number.

13. The first paragraph of article 48 of the act 63 Victoria, chapter 12, as replaced by section 7 of the act 2 Edward VII, chapter 13, and by section 22 of the act 5 Edward VII, chapter 13, is amended by striking out the words: "and towns" in the second line.

Id., 48, amended.

14. Article 49 of the act 63 Victoria, chapter 12, is repealed.

Id., art. 49, repealed.

Id., art. 51,
amended.

15. Article 51 of the act 63 Victoria, chapter 12, as replaced by section 8 of the act 2 Edward VII, chapter 13, and by section 23 of the act 5 Edward VII, chapter 13, is amended by striking out the words: "and towns," in the first line.

Id., art. 52,
amended.

16. Article 52 of the act 63 Victoria, chapter 12, as amended by section 24 of the act 5 Edward VII, chapter 13, is further amended:

Words struck
out of first
paragraph.

a. By striking out the words: "and towns" in the fourth line of the first paragraph;

Words in-
serted in sec-
ond para-
graph.

b. By inserting before the words: "In municipalities" in the first line of the second paragraph, the words: "In towns and."

Words added
to second
paragraph.

c. By adding to the said second paragraph the following words: "but, in any town, village or municipality in which any such license is applied for, if at the time of such application any license for the sale of intoxicating liquor is in force therein, any of the licenses provided for by this article may be issued without a municipal certificate being required therefor, unless there be then in force therein a by-law limiting the number of liquor licenses, and that the full number of licenses allowed by such by-law have been issued and are in force at the time at which application is made for any of the licenses provided for by this article."

Section XIXa
added after
id., art. 53.

17. The following section and articles are added after section XIX of the act 63 Victoria, chapter 12:

"SECTION XIXa

AUCTIONEERS' LIQUOR LICENSES

Issue of
auctioneers'
liquor li-
censes.

"53a. Auctioneers' liquor licenses are issued in cities simply upon payment, to the proper collector of provincial revenue, of the required duties and fees; in towns and villages and in municipalities governed by the Municipal Code they are granted upon the filing with the collector of a permit signed by the mayor and the secretary-treasurer or clerk of the town, village or municipality, which permit may be granted only when there is no by-law prohibiting the sale of intoxicating liquor in force therein.

Duty upon
sales by auc-
tion.

"53b. Sales by auction of intoxicating liquors are subject to a duty of five per cent. upon the duty paid price of the liquors sold, whether they be sold in bond or otherwise.

Arts. 237 to
248 to apply
to section.

"53c. The provisions of articles 237 to 248, inclusively, apply to this section."

18. The following article is added after article 57 of the act 63 Victoria, chapter 12 as replaced by section 4 of the act 5 Edward VII, chapter 11: Art. added after id. 57.

"57a. Any person who, without being the holder of one of the licenses mentioned in articles 55 and 60, sells or keeps for sale, even by sample or on commission, any intoxicating liquors in any municipality in which there exists a by-law prohibiting the sale of such liquors, is liable, for the first offence to a fine of not less than fifty dollars nor more than one hundred dollars in the discretion of the court, and, in default of payment of the said fine, to an imprisonment in the common gaol for a period of three months; if convicted thereof a second time, such person shall be liable to a fine of not less than one hundred dollars nor more than one hundred and fifty dollars, and, in default of payment, to imprisonment for a period of three months; and for the third and every subsequent offence the offender shall be condemned to an imprisonment of not less than three months nor more than six months, without the option of a fine." Penalties for keeping without license intoxicating liquors for sale, in municipality in which prohibitory by-law is in force.

19. Clause *b* of paragraph 1 of division 1 of the tariff enacted by article 64 of the said act is amended by striking out the words: "or more", in the last line, and replacing them by the words: "and less than ten thousand dollars, and fifteen hundred dollars, if the annual value or rent be ten thousand dollars or more." Tariff of art. 64, division 1, § 1, clause *b*, amended.

20. Paragraph 9 of division 1 of the tariff enacted by article 64 of the said act, as replaced by the act 5 Edward VII, chapter 13, section 28, is again replaced by the following: Id., § 9 amended.

9. On each wholesale liquor license: Wholesale liquor license.
- a. In the city of Montreal, five hundred and fifty dollars;
 - b. In the city of Quebec, four hundred and fifty dollars;
 - c. In every other city, three hundred and fifty dollars;
 - d. In every town, two hundred and fifty dollars;
 - e. In every other part of the Province, two hundred dollars."

21. Division 1 of the tariff enacted by the act 63 Victoria, chapter 12, article 64, is amended by adding thereto after paragraph 13 the following: § added to id. after 13.

"13a. On each license authorizing the sale by auction of intoxicating liquors by an auctioneer licensed as such under the provisions of articles 231 to 248: License for auctioneers.

For each day's sale of such liquors:

- a. In the city of Montreal, thirty dollars;

- b. In the city of Quebec, twenty-five dollars;
- c. In every other city or town, twenty dollars
- d. In every other municipality, ten dollars:"

Id. art. 79,
amended.

22. Article 79 of the said act is amended by adding, after the word: "third" in the sixteenth line, the words: "or any subsequent".

Art. added
to id. after
84a.

23. The following article is added after article 84a of the act 63 Victoria, chapter 12, as enacted by the act 5 Edward VII, chapter 13, section 31:

Persons not
holding
license for-
bidden to
take orders
for liquor.

"84b. It is an offence against this law for any person keeping a shop and doing business as a merchant or trader, and who is not the holder of a license for the sale of intoxicating liquors, to take from any person orders for the supply of any intoxicating liquors to such person or to any other, or to be in any way a party or intermediary to the supplying of intoxicating liquors to any one, even though such orders be received and executed or such liquors be delivered by such intermediary gratuitously and without any direct or indirect remuneration being received or benefit derived by the person so taking orders or delivering intoxicating liquors, and every such shop-keeper, merchant or trader contravening the provisions of this article incurs the penalties enacted in article 84."

Id. art. 89,
amended.

24. Article 89 of the act 63 Victoria, chapter 12, is amended by replacing the word: "county", in the fourth line, by the word: "territory."

Id., art. 119,
amended.

25. Article 119 of the said act, as amended by the act 5 Edward VII, chapter 13, section 36, is further amended by adding after the word: "license", in the fifth line, the words: "or in which is committed any contravention of any of the provisions of this law relating to clubs."

Id., art. 120,
amended.

26. Article 120 of the act 63 Victoria, chapter 12, is amended by inserting after the words: "under article 46", in the second line, the words: "or for the infringement of any of the provisions of this law relating to clubs."

Id., art. 126,
amended.

27. Article 126 of the said act is amended by adding thereto the following words: "but prosecutions under this article can be brought only in the name of the collector of provincial revenue, and it is in the discretion of the Provincial Treasurer to refuse to allow them to be taken out, when the circumstances seem to justify such decision."

28. The first clause of article 137 of the said act, as Id., art. 137, amended by the act 5 Edward VII, chapter 13, section 40, amended. is further amended by adding after the word: "third", in the tenth and thirteenth lines, the words: "or any subsequent."

29. Article 139 of the act 63 Victoria, chapter 12, as repla- Id. art. 139, ced by section 41 of the act 5 Edward VII, chapter 13, is amend- amended. ed by striking out the words: "This limitation of time does not apply to convictions obtained for the sale of liquor without license," in the tenth, eleventh and twelfth lines.

30. The following article is added after article 144a of the Art. added act 63 Victoria, chapter 12, as enacted by the act 5 Edward to id., after VII, chapter 13, section 44: 144a.

"144b. In any case of voluntary or judicial abandonment Payment of transfer duty in cases of which comes before the license commissioners in connection with the transfer of a license under the provisions of articles 36 and 37, if the said commissioners discover that such case be not one of *bona fide* insolvency, the owner of the license shall be required to pay the transfer duty exigible in cases of transfers applied for by solvent persons, and the transferror shall furthermore incur a penalty of one hundred dollars."

31. Article 159 of the act 63 Victoria, chapter 12, is Id., art. 159, amended by inserting after the word: "enter", in the fifth line, amended. the words: "even forcibly upon admission being refused."

32. Article 159a of the said act, as enacted by the act 5 Id., art. 159a, Edward VII, chapter 13, section 45, is amended by inserting amended. after the word: "description," in the third line thereof, the words: "whether they are labelled or marked as containing intoxicating liquors or whether they are".

33. The following article is added after article 159a of the Art. added act 63 Victoria, chapter 12, as enacted by the act 5 Edward to id., after VII, chapter 13, section 45: 159a.

"159b. In the case of intoxicating liquors or other goods Confiscation of goods * seized and sale thereof. or merchandize seized by a collector of provincial revenue or his authorized representative, for contravention of this law, if such liquor or other goods or merchandize have not been confiscated by order of the court during the delay allowed by article 223, owing to the collector not knowing the name of the person upon or from whom such liquors or other goods or merchandize were seized, or owing to the fact that such person could not be found in the Province, in such wise that a summons could be served upon him during the delay allowed by the said article 223, the said liquors or other goods or merchandize so

seized shall, unless claimed by the owner thereof within four months, in the case of liquors, and one year in the case of other goods or merchandize, be considered as confiscated at the expiry of such period, and shall be sold by the collector in accordance with the provisions of the articles of this law which relate to the sale of confiscated liquors or other goods or merchandize."

Art. added to id., after 162.

Municipalities to refund overcharges on corporation certificates, &c.

34. The following article is added after article 162 of the act 63 Victoria, chapter 12:

"**162a.** Any special act of this Legislature to the contrary notwithstanding, any municipal council or corporation charging more than is allowed by article 162 for the objects therein described may be compelled to refund at any time to the licensee or his legal representatives such overcharge as being illegal and having been unduly exacted."

Id., art. 174b, amended.

35. Article 174b of the act 63 Victoria, chapter 12, as enacted by the act 5 Edward VII, chapter 13, section 48, is amended by adding thereto the words: "or unless the prosecutor gives notice in the summons served upon the defendant that the action will be tried on the day it is returnable."

Id., art. 187, amended.

36. Article 197 of the act 63 Victoria, chapter 12, is amended by striking out the words: "but only to an amount not exceeding twenty dollars," in the fourth and fifth lines.

Id., art. 220, amended.

37. Article 220 of the said act is amended by inserting before the words: "When the prosecution," in the first line, the words: "Subject to the provisions of the second paragraph of article 165".

Id., art. 221, repealed.

38. Article 221 of the said act is repealed.

Id., art. 223, amended.

39. Article 223 of the said act is amended by adding thereto the following paragraph:

Restriction of application of limitation.

"The above limitation of time does not, however, apply to the confiscation of intoxicating liquor seized before judgment; the judgment of the court confiscating such liquor may be applied for and rendered at any time."

Id., art. 230, amended.

40. Article 230 of the said act is amended by striking out the second clause thereof.

Id., art. 292, amended.

41. Article 292 of the said act is amended by adding thereto the following clause:

Licenses for peddlers' vehicles.

"Every peddler using one or more vehicles is obliged to take out a license for each such vehicle."

42. The first clause of article 312 of the said act is re- Id., art. 312,
placed by the following: § 1 replaced.

" 312. No person holding a license for a billiard-table shall Penalty for
knowingly allow any apprentice, school boy or person under allowing
eighteen years of age to play thereon under a penalty of sev- apprentices,
enty-five dollars, for the first offence, and one hundred and etc., to play
fifty dollars for each subsequent offence." on tables.

43. Article 341a of the said act, as enacted by the act 5 Id., art. 341a,
Edward VII, chapter 13, section 55, is amended by adding amended.
thereto the following clause:

"The provisions of articles 309 to 316 relating to billiard- Arts. 309 to
tables apply equally to bowling-alleys." 316 to apply
to bowling
alleys.

44. The title to section viii^b of the second part of the act Title to sec-
63 Victoria, chapter 12, as enacted by the act 5 Edward VII, tion viii^b of
chapter 13, section 55; is amended by striking out the words: id., amend-
"and private banks." ed.

45. Article 341c of the act 63 Victoria, chapter 12, as enacted Id., art. 341c,
by the act 5 Edward VII, chapter 13, section 55, is amended: amended.

a. By striking out the words: "or a private bank," in the first Words
and second lines; struck out.

b. By adding thereto the following clauses:

"The issue of a license to keep a loan office is in the discretion Issue of loan
of the Provincial Treasurer, who has also the right to cancel the office license
license at any time upon the condemnation of the holder thereof in discretion
before a criminal or civil court. of Treasurer.

No license issued under the provisions of this article shall in Licenses not
any way authorize the receiving of money on deposit or the to authorize
doing of anything in contravention of the terms of the act of certain trans-
Canada respecting banks and banking." actions.

46. Article 341d of the act 63 Victoria, chapter 12, as Id., art. 341d,
enacted by the act 5 Edward VII, chapter 13, section 55, is amended.
amended by striking out the words: "or a private bank," in the
fourth line.

47. Article 341e of the act 63 Victoria, chapter 12, as enacted Id., art. 341e,
by the act 5 Edward VII, chapter 14, section 2, is amended by amended.
replacing the second clause by the following:

"Each such license shall mention the name of the licensee Licensee
and the name and address of each person, firm or corporation what to con-
whom or which he represents. Such license is granted for six tain.
months, and expires on the first day of the month of May Duration of
or of November (as the case may be) subsequent to its issue. license.

Declaration to be given by commercial travellers.

Such commercial travellers shall be obliged to make and sign a solemn declaration before a person authorized to receive affidavits in this Province, giving the name and address of the commercial house they represent, the nature of the business and whether they solicit orders from the wholesale or retail trade or both, or from the consumer.

Certain commercial travellers exempt from taking out license.

However, no such commercial traveller from any other province in Canada which authorizes commercial travellers from this Province to do business in such province without a license, shall be obliged to take out a license under this article."

Id., art. 341f, amended.

48. Article 341f of the act 63 Victoria, chapter 12, as enacted by the act 5 Edward VII, chapter 14, section 2, is amended by adding thereto the following clauses:

Joint and several liability of employers and travellers.

"And every person, firm or corporation represented by any such commercial traveller shall be jointly and severally responsible with such traveller for the amount of the license duty and fee.

Commercial traveller may be witness for Crown.

In prosecutions instituted under this article against commercial travellers, any such commercial traveller may be examined as a witness on behalf of the Crown."

Art. added to id., after 341h.

49. The following article is added after article 341h of the act 63 Victoria, chapter 12, as enacted by the act 5 Edward VII, chapter 14, section 2:

Inspection of registers of hotels, &c.

"**341i.** Every collector of provincial revenue, or his deputy, and any person authorized by him in writing to that effect, may inspect the register of any hotel, inn, temperance hotel or boarding house in connection with the provisions of articles 341e, 341f, and 341g, and any refusal to allow such inspection shall render the proprietor or keeper of such hotel, inn, temperance hotel or boarding-house liable to a fine of fifty dollars and, in default of payment, imprisonment for thirty days."

Penalty if such inspection is refused.

Sections and articles added to id., after 341i.

50. The following sections and articles are added after section viiiC of the act 63 Victoria, chapter 12, as enacted by the act 5 Edward VII, chapter 14, section 2:

SECTION viiiD

NON-RESIDENT BROKERS' LICENSES

License to be taken out by non-resident brokers who temporarily come to do business in Province

"**341.** 1. Every person not residing within the Province of Quebec, who temporarily comes into the Province for the purpose of dealing in shares, bonds, debentures, or debenture stock, either in his own name or in the name of any firm or company having its head office outside of the Province, or of any broker or other person not residing in the Province,

shall first obtain a license therefor from the collector of provincial revenue for the district in which he begins his operations in the Province.

Such license is granted for six months and expires on the first day of the month of May or November (*as the case may be*) subsequent to its issue. Duration of license, &c.

2. Every person residing in the Province of Quebec and doing a brokerage business of any kind and description therein, who is not a member of any existing stock exchange, shall at such times and in such manner as may be determined by the Provincial Treasurer, register with the stock tax collector, if in the district of Montreal, and with the proper collector of provincial revenue in all other revenue districts: The registration fee shall be three dollars, of which two dollars shall belong to the consolidated revenue fund and one dollar to the collector. Registration of brokers. Fee on registration.

3. The taking out of a license under this article or the fact of having registered thereunder does not exempt the holder of such license nor the person so registered from any of the provisions of the law imposing a tax on transfers of shares, bonds, debentures or debenture stock. Law imposing tax on transfers not affected.

"341k. 1. Every person coming within the purview of paragraph 1 of article 341j, who carries on the business therein described without being the holder of a license for that purpose, then in force, incurs the penalty enacted in article 341j for each contravention; and every one who deals with such person in the business described in the said paragraph 1 of article 341j is liable to the Crown for twice the amount exigible upon each such transaction under the provisions of the law imposing a tax on transfers of shares, bonds, debentures or debenture-stock. Penalty for infringement of art. 341j, § 1.

2. Every broker residing in the Province of Quebec and not being a member of any stock exchange, who fails to register as required by paragraph 2 of article 341j, is liable to a fine of not less than twenty dollars nor more than one hundred dollars for each contravention. Penalty for not registering under art. 341j § 2.

"341l. The provisions of article 341g and 341h apply to all licenses issued under article 341j. Application of certain provisions.

"SECTION VIII

AGENTS OF FOREIGN BROKERS

"341m. 1. Every broker, firm of brokers, or person whose residence or chief place of business is without the Province, desiring to do business therein through an agent or representative by dealing, or taking orders to deal, in shares, bonds, Licenses of agents of foreign brokers.

debentures or debenture-stock from within the Province with any broker or firm of brokers or person outside the said Province is obliged to take out, for such agent or such representative in a fixed office or place of business, a license from the collector of provincial revenue of the district in which he intends to do business, and before he commences to carry on such business.

License not to exempt from law imposing tax on transfers, &c.

2. The taking out of a license under this article does not exempt the holder of such license from any of the provisions of the law imposing a tax on transfers of shares, bonds, debentures or debenture-stock.

Penalty for carrying on business without license under art. 341m, § 1.

“**341n.** Every person coming within the purview of paragraph 1 of article 341m, who carries on the business therein described, without being the holder of a license for that purpose, then in force, as well as his agent and representative in the Province, incurs a penalty of two thousand dollars for each offence; and every one who deals with such person in the business described in paragraph 1 of article 341m is liable to the Crown for twice the amount exigible upon each such transaction under the provisions of the law imposing a tax upon transfers of shares, bonds, debentures or debenture-stock.”

Id., 342, § 1, amended.

51. The first paragraph of article 342 of the act 63 Victoria, chapter 12, as amended by the act 5 Edward VII, chapter 13, section 56, is further amended by striking out the words: “and private banks,” in the fourth and fifth lines of the said amending section 56.

Id., 342, division III, amended. License on peddlers' vehicles.

52. Division III of article 342 of the act 63 Victoria, chapter 12, is amended by adding thereto the following:

“For each vehicle used by a peddler, ten dollars.”

Id. 342, division v, § 1, amended.

53. Division v of article 342 of the said act, as replaced by the act 5 Edward VII, chapter 13, section 57, is amended by replacing clause *b* of paragraph 1 by the following:

Duty on billiard tables, in towns.

“*b.* In towns:

1. For the first table, forty dollars;
2. For each table beyond one, twenty-five dollars.”

Id. 342, division VII, replaced.

54. Division VII of article 342 of the said act 63 Victoria, chapter 12, respecting circus and menagerie licenses is replaced by the following:

"VII.—CIRCUS AND MENAGERIE LICENSES

"For each license to open and exhibit a circus or equestrian representation, menagerie or caravan of wild animals: Duty on circus and menagerie licenses.

- a. In the cities of Montreal and Quebec, and within a radius of three miles of each of these cities, five hundred dollars for each day of the representation or exhibition of the same;—and for every side-show, thirty dollars for each day;
- b. In other parts of the Province, two hundred dollars for each day;—and for every side-show, fifteen dollars for each day."

55. Division ix of article 342 of the act 63 Victoria, Id., art. 342, chapter 12, as enacted by the act 5 Edward VII, chapter 13, section 58, is amended: division ix, amended.

- a. By striking out from the title, the words: "and private banks";
- b. By striking out the words "or a private bank", in the first line.

56. Division x of article 342 of the act 63 Victoria, Id., art. 342, chapter 12, as enacted by the act 5 Edward VII, chapter 14, section 1, is replaced by the following: division x, replaced.

" X.—NON-RESIDENT COMMERCIAL TRAVELLERS REPRESENTING PERSONS, ETC., HAVING NO PLACE OF BUSINESS IN CANADA.

"For each semi-annual license for a person not residing in the Province to act as a commercial traveller by soliciting or taking orders for, or selling goods, wares or merchandize, other than intoxicating liquors, or by advertizing or offering such goods for sale, by sample, catalogue or price list, for a person, firm or corporation having no place of business in Canada: Duty on commercial traveller's semi-annual license.

Dealing with the wholesale trade only:	\$ 50.00
Dealing with the retail trade	100.00
Dealing with the consumer	200.00

Any commercial traveller, however, taking orders for machinery, plant, tools, and supplies, for factories, when such articles cannot be procured in this Province, although dealing with consumers, shall pay fifty dollars for a license.

" XI.—NON-RESIDENT BROKER'S LICENSES

"On every non-resident broker's semi-annual license, five hundred dollars. Non-resident brokers, semi-annual license.

"XII.—AGENTS OF FOREIGN BROKERS

Agent of
foreign bro-
kers.
Id., art. 343,
amended.

"On every license of an agent of a foreign broker \$2,000."

57. Article 343 of the act 63 Victoria, chapter 12, is amended:

a. By inserting after the words: "billiard-table", in the second line of paragraph 3, the words: "bowling-alley-bed".

b. By adding thereto the following paragraph:

"6. Every loan office."

Article ad-
ded to id.,
after 348.

Vacancy in
office of col-
lector of pro-
vincial rev-
enue.

58. The following article is added after article 348 of the said act:

"**348a.** In the event of any vacancy occurring in the office of any collector of provincial revenue, the Provincial Treasurer may authorize the deputy of such collector, or any other revenue officer, to act temporarily as collector of provincial revenue in any revenue district in which such vacancy occurs, and to perform all the duties of the office, including the continuing of prosecutions pending at the date of the occurrence of such vacancy, until the vacancy be filled by the Lieutenant-Governor in Council."

Coming into
force.

59. This act shall come into force on the first day of May next, 1906.

CHAP. 10

An Act imposing taxes upon commercial corporations, companies, partnerships, associations, firms and persons

[Assented to 9th March, 1906]

HIS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

R. S., 1143 to
1153, re-
placed.

1. Section seventeenth of chapter fifth of title fourth of the Revised Statutes, as enacted by the act 59 Victoria, chapter 15, section 1, and the acts amending the same, are replaced by the following:

"SECTION XVII

TAXES UPON COMMERCIAL CORPORATIONS, COMPANIES, PART-
NERSHIPS, ASSOCIATIONS, FIRMS AND PERSONS§ 1.—*Declaratory and Interpretative*

"1143. In order to provide for the exigencies of the public service, every one of the following companies, corporations, partnerships, associations, firms and persons doing business in this Province, in his or its own name or through an agent, namely:

Taxes imposed upon certain companies, corporations, partnerships, associations, firms and persons.

1. Every incorporated company carrying on any labor, trade or business therein;

2. Each of the following companies, whether incorporated or not:

Every bank carrying on the business of banking therein;

Every insurance company accepting risks and transacting the business of insurance therein;

Every loan company making loans therein;

Every navigation company, steamship company, partnership or association owning, operating or running one or more steamships or vessels, between any place in the Province and any other place in the Province, or in any other province, or in any other country, or any agent of any such company, partnership or association;

Every telegraph company and every other company working a telegraph in the Province for the use of the public;

Every telephone company working a telephone line therein;

Every express company, partnership or association, foreign to the Province of Quebec, carrying on therein an express and forwarding business and any business incidental thereto;

Every city passenger railway or tramway company working a line of railway or tramway therein;

Every railway company working a railway or part of a railway therein; and

Every trust company carrying on business therein;

3. Every partnership, association, firm or person whose chief office or principal place of business is outside the Dominion of Canada;

Shall, annually, pay the several taxes mentioned and specified in article 1145, which taxes are hereby imposed upon each of such commercial corporations, companies and persons, or upon each such partnership, association, firm or agent respectively.

"1144. In this section the following words and expressions have the meaning and application indicated in this article: Interpretation of:

- Incorporated company;** 'Incorporated company' does not include companies publishing newspapers or periodicals,—societies or establishments, for the manufacture of butter or cheese, or of both, established under the third section of chapter fourth of title eleventh of the Revised Statutes,—the Dairy Association of the Province of Quebec, established under the thirteenth section of chapter seventh of title fourth of the said Statutes,—mutual insurance societies recognized by or established under the seventeenth and eighteenth sections of chapter third of title eleventh of the said Statutes, except when such societies transact a cash premium business,—companies established for the construction and maintenance of toll-bridges,—or associations or companies established for the purpose of drainage, agriculture or colonization;
- Bank;** 'Bank' includes savings banks;
- Insurance company;** 'Insurance company' comprises life, fire, ocean marine, inland, transit, accident, sickness, health, live-stock, plate-glass, steam-boiler, burglary, registry and identification, guarantee and employers' liability, and any other kind of insurance company or association issuing policies in its own name or through an agent or broker, whether under an assessment system or otherwise, but does not include mutual insurance companies recognized by or established under the seventeenth and eighteenth sections of chapter third of title eleventh of the Revised Statutes with respect to policies issued and premiums received by such companies under a premium-note and assessment system;
- Premium;** 'Premium' means any sum payable as consideration for insurance, and includes the first premium payable upon a policy of insurance and the annual or other premiums thereafter payable thereon, whether for renewals or otherwise; and 'gross premiums,' in so far as all insurance companies, except life insurance companies, are concerned mean such premiums after deduction of return premiums and cancellations;
- Loan company;** 'Loan company' includes building societies; but does not include those mutual building societies which have not a fixed capital, do not lend money to the public, but only to their members, do not lend money at interest, do not levy any interest upon their members and whose members receive no dividend, nor trust companies carrying on the business of a loan company;
- Trust company;** 'Trust company' means and includes all companies known as trust companies, or trust and safe deposit companies, or loan and safe deposit companies, or safe deposit companies;
- Head office.** 'Head office' means the most important office or place of business, in the Province of Quebec, of any commercial corporation or company.

§ 2.—Tariff of Annual Taxes Imposed

"1145. The annual taxes imposed upon and payable by the commercial corporations, companies, partnerships, associations, firms, persons and agents mentioned and specified in article 1143 shall be as follows:

I.—INCORPORATED COMPANIES

a. One-eighth of one per cent. upon the amount of the paid-up capital to one million dollars, inclusively, and fifty dollars for each one hundred thousand dollars or fraction of one hundred thousand dollars for all sums over one million dollars;

b. An additional tax of fifty dollars for each place of business, factory or workshop in the cities of Montreal and Quebec, and of twenty dollars for each place of business, factory or workshop in every other place;

c. It is lawful for the Lieutenant-Governor in Council to allow incorporated companies coming under this paragraph such reduction of taxes for a fixed or undetermined period, as he may deem just, in proportion to the nature and importance of their operations in the Province, when their principal place of business is beyond the limits of the Province, or when, their chief office being within the limits of the Province, they employ therein only a part of their paid-up capital, and their manufactories or other establishments, representing the larger portion of their capital, are situate without the limits of the Province; but the tax exacted must never be less than fifty dollars;

II.—BANKS

a. One hundred dollars on every one hundred thousand dollars of the paid-up capital, up to one million dollars inclusively; fifty dollars for each one hundred thousand dollars or fraction of one hundred thousand dollars of the paid-up capital, over one million dollars;

b. On each head office or chief place of business in each of the cities of Montreal and Quebec, two hundred dollars; on each other office or place of business in each of the said cities, one hundred and fifty dollars, and on each office or place of business in any other place, thirty dollars;

III.—INSURANCE COMPANIES

a. Saving the provisions enacted in article 1144 with respect to premiums received under a premium-note system, and the case of marine insurance companies, on every life insurance company

which transacts business in the Province, a tax of one and three quarters per cent. and on every other insurance company, a tax of one per cent.; the said tax to be calculated, in both instances, upon the gross amount of premiums whether received or become due for insurance effected or renewed by such company, in the Province, during the preceding calendar year, provided that in no case, except for mutual insurance companies incorporated under any law of this Province, shall the said tax be less than four hundred dollars in the case of life insurance companies, and two hundred and fifty dollars in the case of every other insurance company; but, in the case of mutual fire insurance companies, which receive premiums in cash, the tax shall be calculated upon the gross premiums received in cash in respect of insurance transacted on the cash plan in the Province by the company during the preceding calendar year, whether on new policies issued or on renewals; provided always that when it is made to appear that companies incorporated in this Province are discriminated against in any other province, state or country, it shall be lawful for the Lieutenant-Governor in Council to increase the tax upon companies incorporated in such province, state or country, doing business in this Province, to an amount equal to the discriminating tax;

Amount of first payment of tax;

b. The minimum sums fixed in the next preceding paragraph shall respectively be the amount of the first payment of tax exigible under the terms of article 1146 from every insurance company beginning to do business in this Province;

How tax is based;

c. Insurance companies so receiving premiums on life policies issued in favor of any person domiciled in this Province, or on fire or other policies respecting any property in this Province, shall pay the said tax upon the full amount of such premiums, whether for original insurance or for re-insurance. In the case of re-insurance, however, the principal company shall be exempt from the tax imposed by this act on the portion of the premium paid to the re-insuring company, if the latter does business in this Province, and, if such re-insuring company does not do business therein, the principal company shall be liable for the tax on the full amount of the premium;

Marine insurance;

d. In the case of marine insurance, on every person, firm or company engaged in carrying on the business of marine insurance as principal, agent or broker, a tax of two hundred and fifty dollars on such business;

Declaration to be sent to Provincial Treasurer of certain insurance hav-

e. Any person, firm or corporation, and every officer or agent or employee of any such person, firm or corporation, having an actual knowledge of the facts, procuring any insurance on any property, moveable or immoveable in the Province or described in any policy, interim receipt or in-

insuring document as situate in any part of the said Province, ^{ing been effected;} in any extra-provincial company not having complied with the requirements of the act 4 Edward VII, chapter 34, shall forthwith, and not later than one month from the effecting of any such insurance or of the receipt of any such policy, interim receipt or insuring document issued by or on behalf of such insuring company, whichever shall be first in point of time, notify the Provincial Treasurer in writing, under oath, of (a) the amount of such insurance; (b) the amount of premium which would have been chargeable for such insurance had the same been placed with an insurance company duly registered and licensed under the act 4 Edward VII, chapter 34. And such person, firm or corporation shall, upon filing a sworn declaration to the above effect with the Provincial Treasurer, within the delay above specified, pay at the same time to the proper collector of provincial revenue the amount which the Province would receive from a company duly registered and licensed under the act 4 Edward VII, chapter 34, had such insurance been placed with such company. Where such insurance is effected directly by the owner of the property, the declaration shall be made and the tax paid by him; where it is effected through an agent or broker, the declaration shall be made and the tax paid by such agent or broker; ^{Payment to be made along with declaration;}

f. Any person, firm or corporation, officer, agent or employee violating the next preceding paragraph shall, for each offence, be liable to a fine equal to twice the amount of the tax; the Lieutenant-Governor in Council may however remit any such fine, provided the court before which the conviction was had recommends such remission; ^{Penalty for violation of provisions of paragraph e;}

IV.—LOAN COMPANIES

a. A company with a fixed capital exceeding five hundred thousand dollars, four hundred dollars, with an additional sum of fifty dollars for each million dollars or fraction of one million dollars of the paid-up capital of the company, over one million dollars; ^{Loan companies with fixed capital;}

If the fixed capital exceeds four hundred thousand dollars, but does not exceed five hundred thousand dollars, three hundred dollars; if it exceeds three hundred thousand dollars, but does not exceed four hundred thousand dollars, two hundred and fifty dollars; if it exceeds two hundred thousand dollars, but does not exceed three hundred thousand dollars, two hundred dollars; if it exceeds one hundred thousand dollars, but does not exceed two hundred thousand dollars, one hundred and fifty dollars; if the fixed capital is one hundred thousand dollars or less, one-tenth of one per cent. upon the amount of the capital;

Without fixed capital;
Additional tax;

- b. A company without a fixed capital, one hundred dollars;
- c. An additional tax of one hundred dollars, for each office or place of business in the cities of Montreal and Quebec, and of fifty dollars for each office or place of business in every other place, when the fixed capital of the company exceeds one hundred thousand dollars; when the fixed capital is one hundred thousand dollars or less, and when there is no fixed capital, the additional tax shall be fifty dollars for each office or place of business in the cities of Montreal and Quebec, and twenty-five dollars for each office or place of business in every other place;

V.—NAVIGATION COMPANIES, ETC.

Navigation companies;

- a. One-tenth of one per cent. upon the amount of the paid-up capital to five hundred thousand dollars, inclusively, and fifty dollars for each one hundred thousand dollars or fraction of one hundred thousand dollars for all sums over five hundred thousand dollars;

Additional tax;

- b. An additional tax of fifty dollars for the most important office or place of business in each of the cities of Montreal and Quebec, and of twenty dollars for the most important office or place of business in any other place;

VI.—TELEGRAPH COMPANIES

Telegraph, &c., companies;

- Every telegraph company and every other company working a telegraph system for the use of the public, one thousand dollars; provided that such tax shall not be exacted from wireless telegraph companies before the first day of July, 1906;

VII.—TELEPHONE COMPANIES

Telephone companies;

- One-tenth of one per cent. upon the amount of the paid-up capital if it is fifty thousand dollars or less; three hundred dollars if the paid-up capital exceeds fifty thousand dollars, but does not exceed one hundred thousand dollars; five hundred dollars if it exceeds one hundred thousand dollars, but does not exceed two hundred thousand dollars; one thousand dollars if it exceeds two hundred thousand dollars, but does not exceed three hundred thousand dollars; and five-tenths of one per cent. on the gross earnings, but not to be less than two thousand dollars nor more than three thousand dollars, if it exceeds three hundred thousand dollars;

VIII.—EXPRESS COMPANIES

Extra-provincial ex-

- a. Every express company, partnership or association, foreign to the Province of Quebec, carrying on an express and

forwarding business five-tenths of one per cent. upon the gross earnings in the Province, provided the tax be not less than eight hundred dollars;

b. A fixed sum of eight hundred dollars shall be the amount of the first payment of tax exigible under the terms of article 1146 from every such express company, partnership or association commencing to do business in the Province;

c. An additional tax of fifty dollars for each place of business in the cities of Montreal and Quebec, and of twenty dollars for each place of business in every other place;

d. Every express company, partnership or association to the Dominion of Canada, carrying on any business other than an express and forwarding business exclusively, an additional tax of one-fifth of one per cent upon the paid-up capital thereof;

IX.—CITY PASSENGER RAILWAY OR TRAMWAY COMPANIES

Fifty dollars for each mile of single track of railway or tramway in operation, and one hundred dollars for each mile of double track in operation;

X.—RAILWAY COMPANIES

a. The railway companies mentioned in the schedule to this section and every railway company having received or receiving subsidies from the Government of this Province, ten dollars for each mile of railway in operation;

b. All other railway companies, five dollars for each mile of railway in operation;

XI.—TRUST COMPANIES

a. One-fifth of one per cent. upon the amount of the paid-up capital to one million dollars, inclusively, and twenty-five dollars for each one hundred thousand dollars or fraction of one hundred thousand dollars for all sums over one million dollars;

b. An additional tax of fifty dollars for each place of business in the cities of Quebec and Montreal, and of twenty dollars for each place of business in every other place;

c. It is lawful for the Lieutenant-Governor in Council to allow trust companies coming under this paragraph such reduction of taxes for a fixed or undetermined period, as he may deem just, in proportion to the nature and importance of their operations in the Province, when their principal place of business is beyond the limits of the Province; but the tax must never be less than one hundred dollars.

§ 3.—*Levy and Application of Taxes*

Taxes when payable.

"1146. Subject to the provisions of article 1150a, such taxes shall be payable in advance on the first juridical day of the month of July in each year.

To whom taxes are payable.

"1147. The total amount of the taxes imposed upon any commercial corporation, company, partnership, association, firm or person coming under this section shall be payable annually to the collector of provincial revenue of the revenue district in which the commercial corporation, company, partnership, association, firm or person has his or its head office.

Certain statements to be forwarded annually by corporation, &c., affected by this section, and what to contain.

"1148. On or before the first day of May in each year, every company, corporation, partnership, association, firm or person coming within the purview of this law shall, without awaiting any notice or demand to that effect from the Government, forward, in duplicate, to the Provincial Treasurer, a detailed statement, in which shall be set forth, in so far as required in view of the collection of such taxes by that part of article 1145 referring to each class of companies, corporations, partnerships, associations, firms, or persons, besides any and all other such information as the said Provincial Treasurer may require according to the circumstances of each case, the name of the company, corporation, partnership, association, firm or person, the nature of the business, the amount of the capital paid-up, the number and situation of all offices, places of business, agencies, stations, factories and workshops, and, in the case of insurance companies, the amount of the gross premiums or of revenue: in that of railway and tramway companies, the number of miles in operation in the Province, and, in the case of companies doing business in the Province by either leasing or hiring sleeping-, dining-, parlor- or buffet-cars to any railway company, or when sleeping-, dining-, parlor- or buffet-cars run upon the track or line of, or are used by any railway company in this Province, such vouchers respecting the number of such cars and the amount of the capital invested therein by any such company as may be required by the Provincial Treasurer.

Corporations, &c., commencing business during a year.

In the case of companies, corporations, partnerships, associations, firms or persons commencing to do business in the course of any fiscal year, the statement above required shall be furnished on the day when such business is commenced.

Attestation of statements.

Such detailed statement shall be attested under oath taken before any officer authorized to receive affidavits to be used in this Province by the president, vice-president, or one having personal knowledge of the affairs of the company, partnership, association, firm or person, and, in the case of companies incorporated outside the Province, or of persons outside of the Dominion of Canada, by the manager or chief agent of the company in the

Province, and by the accountant or secretary thereof or by such other persons connected with the company as the Provincial Treasurer may require; and such statement shall be drawn up according to such form as may be determined by the Provincial Treasurer.

In respect of fire, plate-glass, steam-boiler, burglary and all other insurance covering property situate within the Province, every joint-stock company, partnership, association, firm or person in the Province directly effecting such insurance in companies or organizations known as Lloyds, not licensed by the Dominion of Canada, nor recognized by or established under the seventeenth and eighteenth sections of chapter thirteenth of title eleventh of the Revised Statutes, shall, on or before the same date, furnish a detailed statement under oath of the total insurance so effected, by such company, partnership, firm, association or person, and of the amount of the premiums paid thereon, and in default of their so doing they shall be subject to the penalties imposed under article 1149.

Statements on oath to be furnished by companies, &c., carrying on insurance business.

Penalty for not producing statement.

Every insurance company shall keep a separate book or register, in such form as may be determined by the Provincial Treasurer, in which shall be correctly entered the premiums earned by the company in respect of or accruing from business done by the company wholly or in part in the Province; and in default thereof, and also in default of compliance with article 1145, the company shall pay the tax upon the total gross income of the company, as established by the report of the Superintendent of Insurance of the Dominion of Canada or by the provincial insurance inspector, as the case may be.

Books, &c., to be kept by insurance companies.

Penalty for default.

The said register shall at all times be open to the examination of the comptroller of provincial revenue, and to that of the provincial revenue inspector or proper collector of provincial revenue.

Books, &c., to be open to inspection by certain officers.

Every person, acting as a broker for one or more insurance companies which have no office or place of business in this Province, shall furnish the same statements and information, keep the same kind of registers and make similar entries therein as if he were acting for companies doing business in this Province.

Certain insurance brokers to keep similar books, and furnish information.

Every year also, on or before the first day of May, every partnership, association, firm or person having his or its chief office or principal place of business in this Province and carrying on business under a corporate name or with the addition of the word 'company' or 'Co.,' without being incorporated, shall notify the Provincial Treasurer thereof, without awaiting a notice or demand from the Government, and so as to satisfy the Government that such person or firm is not liable to the payment of the taxes imposed by this section.

Notification to be annually sent to Provincial Treasurer by persons using firm, name, &c.

If the Provincial Treasurer, in order to enable him to determine whether a statement furnished is correct, desires to obtain

Additional sworn statements may

be required by Provincial Treasurer.

further information, he may, by registered letter addressed to the president, manager, secretary or agent of the company, or to such member thereof as he sees fit, and to any partnership, association, firm or person coming within the purview of this section, require a further statement attested under oath to be furnished within thirty days, under a penalty of five hundred dollars.

Penalty for neglecting to comply with provisions of article 1148.

"1149. Every corporation, company, partnership, association, firm or person, carrying on business in the Province, in his or its own name or through an agent, and such agent, and every broker acting for insurance companies which do not have an office in this Province, who neglects to conform to the provisions of article 1148 shall *ipso facto* be liable to a fine of ten dollars per day for each day during which such negligence continues, counting from the day such taxes become due until the statements required by the preceding article are forwarded to the Provincial Treasurer.

Incomplete, &c., report considered as no report.

Every such corporation, company, partnership, association, firm or person and every such agent and broker, and in cases where this section obliges the insured to report, every insured person, who shall make an incomplete or incorrect statement, shall be deemed not to have made a report.

Penalty on firm or partnerships, &c., not making return.

"1150. Every partnership, association, firm or person not incorporated, carrying on business under a corporate name or with the addition of the word 'company' or 'Co.,' who or which has not, on the first juridical day of July in each year, made the statement required by article 1148, shall be liable to the fine imposed by the preceding article.

Proportional tax upon corporations, &c. commencing business during year and when exigible.

"1150a. Corporations, companies, partnerships, associations, firms and persons, liable to the tax, who or which during the year commence business, are bound to pay only a proportionate amount of the tax, from the first day of the month during which they so commence business. Such proportional tax shall be exigible at the date at which such corporation, company, partnership, association, firm or person commences to do business in the Province.

Recovery of taxes by suit if not paid.

"1151. 1. Every annual tax imposed by this section, which is not paid, may be recovered with legal interest thereon from the date upon which such tax becomes due, by an action brought in his own name, on behalf of His Majesty, by the collector of provincial revenue of the revenue district in which such tax was payable.

Recovery of penalties.

The fine imposed by articles 1149 and 1150 shall be recoverable in the same manner.

Before what court suits to be brought.

2. All actions for the recovery of such taxes shall be brought in the judicial district in which they are payable, either before

the Circuit Court or the Superior Court, according to the amount claimed.

3. Costs are not adjudged against the collector of provincial revenue in any action instituted by him under this section; but, on the recommendation of the court, the Provincial Treasurer may, in his discretion, pay to the commercial corporation, company, partnership, association, firm or person in favour of whom or of which judgment has been rendered, the costs to which he may deem it or him equitably entitled.

Costs not to be adjudged against collector.

Proviso.

"1151a. Suits, under the authority of this section, before the Circuit Court or the Superior Court, are subject to the rules and delays prescribed for summary matters by the Code of Civil Procedure, other than suits between lessors and lessees.

Suits to be summary matters under C. C. P.

"1152. The clerks or secretary-treasurers of every municipal corporation shall, annually, on or before the first day of June, make a report to the Provincial Treasurer setting forth the names of all commercial corporations, companies, firms, partnerships, associations or persons of the nature of those above mentioned, established or doing business within their respective municipalities, specifying the number of offices, places of business, factories or workshops of each; in default of so doing, the said clerks or secretary-treasurers shall severally be liable to a fine of twenty-five dollars, and, in default of payment of such fine, to an imprisonment of twenty-five days.

Returns by clerks, &c. of municipal corporations to Provincial Treasurer as to commercial corporations, &c.

"1153. All sums due to the Crown in virtue of this section shall constitute a privileged debt, ranking immediately after law costs.

Privilege for taxes.

"1153a. 1. The taxes imposed by this section shall form part of the consolidated revenue fund of the Province.

Taxes form part of consolidated revenue fund. Application of portion of taxes.

2. Any proportion of such taxes may be applied, from time to time, by the Provincial Treasurer, under the direction of the Lieutenant-Governor in Council, to the payment of the expenses incurred for the carrying out of this section.

"1153b. The Lieutenant-Governor in Council may make, amend, replace and repeal all regulations that he may consider necessary for the execution of the provisions of this section.

Lieutenant-Governor in Council may make regulations, &c.

Such regulations shall come into force fifteen days after the date of their publication in the *Quebec Official Gazette*."

2. The repeal, by this act, of the seventeenth section of the fifth chapter of the fourth title of the Revised Statutes, as enacted by the act 59 Victoria, chapter 15, and of the acts amending the same, shall not have the effect of remitting the taxes which have become due nor the penalties incurred in

Effect of repeal by this act.

virtue thereof, but such taxes and penalties shall be collected in virtue of the provisions of the repealed laws as if the present act had not been passed.

Coming into
force.

3. This act shall come into force on the day of its sanction.

"SCHEDULE

Railway Companies referred to in clause a of number x of article 1145, and towards the construction of whose railways public moneys have been expended or have been appropriated, either by this Province or by the late Province of Canada.

Canadian Pacific Railway Company, for that portion of its railway in the Province, extending from Montreal to St. Jérôme, Aylmer and Ottawa city, together with the St. Lin and St. Eustache branches;

Montreal and Laurentian Colonization Railway Company;

Pontiac Pacific Junction Railway Company, for that portion of its railway in the Province;

Lake Champlain and St. Lawrence Junction Railway Company;

Missisquoi Valley Railway Company;

Montreal, Portland and Boston Railway Company,

Quebec Central Railway Company;

Quebec and Lake St. John Railway Company;

Waterloo and Magog Railway Company;

Grand Trunk Railway Company of Canada, for that portion of its railway in the Province;

North Shore Railway Company;

South Eastern Railway Company,

International Railway Company."

CHAP. 11

An Act amending and consolidating the act respecting succession duties

[Assented to 9th March, 1906]

HIS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

1: Section XVIII of chapter fifth of title fourth of the Revised Statutes, as enacted by the act 55-56 Victoria, chapter 17, section 1, and the various acts amending the same are replaced by the following: R.S. 1191a to 1191j replaced.

"SECTION XVIII

DUTIES ON SUCCESSIONS

"**1191a.** This act may be cited as the 'Quebec Succession Duties Act.' Citation of act.

"**1191b.** All transmissions, owing to death, of the property in, or the usufruct or enjoyment of, moveable and immoveable property in the Province, shall be liable to the following taxes, calculated upon the value of the property transmitted, after deducting debts and charges existing at the time of the death: Tax upon transmissions of property owing to death.

1. In the direct line, ascending or descending; between consorts; between father- or mother-in-law and son- or daughter-in-law: Direct line.
In estates the value of which, after deducting the debts and charges existing at the time of the death:
 - a. Does not exceed the sum of five thousand dollars, no tax shall be exigible.
 - b. Exceeds five thousand dollars, but does not exceed ten thousand dollars, on every hundred dollars of value over five thousand dollars. . 1 %
 - c. Exceeds ten thousand dollars, but does not exceed fifty thousand dollars, on every hundred dollars of value over five thousand dollars. . 1½ %
 - d. Exceeds fifty thousand dollars, but does not exceed seventy-five thousand dollars, on every hundred dollars of value over five thousand dollars 1½ %

- e. Exceeds seventy-five thousand dollars, but does not exceed one hundred thousand dollars, on every hundred dollars of value over five thousand dollars 2 %
- f. Exceeds one hundred thousand dollars, but does not exceed one hundred and fifty thousand dollars, on every hundred dollars of value over five thousand dollars 3 %
- g. Exceeds one hundred and fifty thousand dollars, but does not exceed two hundred thousand dollars, on every hundred dollars of value over five thousand dollars 4 %
- h. Exceeds two hundred thousand dollars, on every hundred dollars of value over five thousand dollars 5 %

Deduction to be out of whole estate. For the purposes of clauses *a, b, c, d, e, f, g* and *h*, the sum of five thousand dollars, therein mentioned, is to be deducted out of the whole estate, and not out of the share of each beneficiary.

Additional tax in certain cases. Provided that where the value of any estate, as defined in the first paragraph of this article, exceeds one hundred thousand dollars, and the amount passing in manner aforesaid to any one person mentioned in paragraph 1 of this article, exceeds the amount hereinafter mentioned, a further duty shall be paid on the amount so passing in addition to the rates mentioned in clauses *a, b, c, d, e, f, g*, and *h* of this article, as follows:

- a. Where the whole amount so passing to one person exceeds one hundred thousand dollars, but does not exceed two hundred thousand dollars. 1 %
- b. Exceeds two hundred thousand dollars, but does not exceed four hundred thousand dollars. . . . 1½ %
- c. Exceeds four hundred thousand dollars, but does not exceed six hundred thousand dollars. 2 %
- d. Exceeds six hundred thousand dollars, but does not exceed eight hundred thousand dollars. . . . 2½ %
- e. Exceeds eight hundred thousand dollars. 3 %

Collateral line.

2. In the collateral line:

- a. If the succession devolves to the brother or sister, or descendant of the brother or sister of the deceased:
 - If it does not exceed ten thousand dollars. . 5 %
 - If it exceeds ten thousand dollars. 5½ %
- b. If the succession devolves to the brother or sister, or descendant of a brother or sister of the father or mother of the deceased:
 - If it does not exceed ten thousand dollars. . 6 %
 - If it exceeds ten thousand dollars. 6½ %

- c. If the succession devolves to the brother or sister or descendant of the brother or sister of the grandparents of the deceased:

If it does not exceed ten thousand dollars.. 7 %

If it exceeds ten thousand dollars..... 7½ %

- d. If the succession devolves to any other collateral:

If it does not exceed ten thousand dollars.. 8 %

If it exceeds ten thousand dollars..... 9 %

3. If the succession devolves to a stranger..... 10 %

Provided that where the value of any dutiable property exceeds fifty thousand dollars and the amount passing in manner aforesaid to any one person in the collateral line or to any one stranger, exceeds the amount hereinafter mentioned, a further duty shall be paid on the amount so passing, in addition to the duty mentioned in this paragraph and in clauses a, b, c and d of paragraph 2:

- a. Where the whole amount so passing to one person exceeds fifty thousand dollars, but does not exceed one hundred thousand dollars..... 1 %

- b. Exceeds one hundred thousand dollars, but does not exceed one hundred and fifty thousand dollars..... 1½ %

- c. Exceeds one hundred and fifty thousand dollars, but does not exceed two hundred thousand dollars..... 2 %

- d. Exceeds two hundred thousand dollars, but does not exceed two hundred and fifty thousand dollars..... 2½ %

- e. Exceeds two hundred and fifty thousand dollars, but does not exceed three hundred thousand dollars..... 3 %

- f. Exceeds three hundred thousand dollars, but does not exceed three hundred and fifty thousand dollars..... 3½ %

- g. Exceeds three hundred and fifty thousand dollars, but does not exceed four hundred thousand dollars..... 4 %

- h. Exceeds four hundred thousand dollars, but does not exceed four hundred and fifty thousand dollars..... 4½ %

- i. Exceeds four hundred and fifty thousand dollars..... 5 %

"1191c. The word 'property', within the meaning of this section, shall include all property, whether moveable or immoveable, actually situate or owing within the Province, whether the de-

If succession devolves to a stranger. Additional tax in certain cases.

Word "property" defined.

ceased at the time of his death had his domicile within or without the Province, or whether the debt is payable within or without the Province, or whether the transmission takes place within or without the Province, and all moveables, wherever situate, of persons having their domicile, or residing, in the Province of Quebec at the time of their death.

Life insurance policies under R.S., 5581 are dutiable.

" 1191d. Life insurance policies effected or appropriated under the provisions of article 5581 of the Revised Statutes are dutiable in the same manner as any other moveable property.

Bequests not exceeding certain sums to charitable, &c., institutions not dutiable.

" 1191e. No duty shall be leviable on property devised or bequeathed for religious, charitable or educational purposes, to be carried on by a corporation or person domiciled within the Province of Quebec, but only to an amount not exceeding one thousand dollars in each case.

By whom duty to be paid in certain cases.

" 1191f. In the case of property transmitted in usufruct or with substitution, the tax shall be paid by the usufructuary or the institute, and shall not be exigible from any further beneficiary under the same deed.

Copy of will to be sent to collector within certain time of decease.

" 1191g. 1. Every heir, universal legatee, legatee by general or particular title, executor, trustee and administrator, or notary before whom a will has been executed, shall, within thirty days after the death of the testator or *de cujus*, forward to the collector of provincial revenue for the district wherein the testator died or the succession devolved a copy of the will, if there is one, and said person, excepting the notary, shall also transmit within three months, to such collector of provincial revenue, a declaration under oath, setting forth the name, surname, residence and calling of the declarant, the name, surname and residence of the testator or *de cujus*, the description and real value of all the property transmitted, the amounts in detail of the debts and charges of the succession, with the names, surnames, residence and calling of all creditors, and, further, the nature and value of the share of the declarant in the succession, after deducting the debts and charges payable by him, of which a detailed statement, with the names, surnames, residence and calling of the creditors, must also be given.

Declaration as to value of estate to be produced within certain time and what to contain.

Declaration by one of parties. Where will, &c., deposited of persons dying outside Province. Interim dec-

The declaration duly made by one of the above-named persons relieves the others as regards such declaration.

2. In cases of property in this Province of persons dying outside the Province, the will shall be deposited and the declarations filed with the collector of provincial revenue for any one of the districts in which such property is situated.

3. If, however, within the said three months an interim dec-

laration, under oath, is made by any of the beneficiaries, that it is impossible—within the said delay—to furnish the declaration mentioned in the preceding paragraph, the said collector may extend such delay for sixty days, and a further delay, not exceeding six months, may be granted by the Provincial Treasurer.

laration and delay that may be granted, &c. therefor.

4. On receipt of such first mentioned declaration, the said collector shall cause to be prepared a statement of the amount of the duties to be paid by the declarant.

Statement of amount due to be prepared.

5. Such collector of provincial revenue shall inform the declarant of the amount due as aforesaid, by registered letter mailed to his address, and notify him to pay the same within thirty days after the notice is sent; and, if the amount is not then paid to him on the day fixed, the collector of provincial revenue may sue for the recovery thereof before any court of competent jurisdiction in his own district.

Notification to be given to declarant. Suit if amount not paid.

6. No transfer of the properties of any estate or succession shall be valid, nor shall any title vest in any person, if the taxes payable under this section have not been paid; and no executor, trustee, administrator, curator, heir or legatee shall consent to any transfers or payments of legacies, unless the said duties have been paid.

Transfers invalid, &c., if duties not paid, &c.

7. If any declaration, so required, is not made within the prescribed delay, or within any extended delay that may have been granted, or if any false or incorrect statement is made in any such declaration, either as to value or otherwise, double duties shall become due and be exacted in favor of His Majesty, and the person in default shall, in addition to any other recourse against him, be liable to a penalty of one hundred dollars and in default of payment, imprisonment for one month.

Penalty if declaration, &c., not made, &c.

"1191h. Every corporation, company or firm having its chief office or place of business in the Province of Quebec, in which any person dying outside of the Province was possessed of any interest, shares, stock or bonds, must, within thirty days of the date whereon it obtains knowledge of the death, unless the Provincial Treasurer should extend the delay for reasonable cause shown, send to the Provincial Treasurer a notice of the death, giving the date thereof and the full name, quality and domicile of the deceased and the amount of such interest, shares, stock or bonds, and in default of so doing shall be liable to a penalty not exceeding fifty dollars.

Corporation, &c., to notify Provincial Treasurer of death of shareholder, &c., giving certain details.

"1191i. All fines imposed by this section shall be paid to the collector of provincial revenue for the district in which such fines are incurred and collected, and shall be recovered before the Superior or the Circuit Court, according to the

Suits for fines, &c.

amount thereof, by suit, on behalf of His Majesty, taken by the collector of provincial revenue in his own name.

Privilege of
sums due
Crown.

"1191j. Any sum that may become due to the Crown, in virtue of this section, shall constitute a privileged debt ranking immediately after law costs.

Percentage
to be retain-
ed by collect-
or.

"1191k. The collector of provincial revenue, who collects any sum in virtue of this section, shall be entitled to retain such percentage as the Lieutenant-Governor in Council may determine.

Lieutenant-
Governor in
council may
make regula-
tions, &c.,
and coming
into force
thereof.

"1191l. The Lieutenant-Governor in Council may make, amend, replace and repeal all regulations and forms that he may consider necessary for the purpose of carrying out the provisions of this section, which regulations and forms shall come into force as soon as they are published in the *Quebec Official Gazette*."

Effect of re-
peal by this
act.

2. The repeal, by section 1 of this act, of section xviii of the fifth chapter of the fourth title of the Revised Statutes, as enacted by the act 55-56 Victoria, chapter 17, section 1, and of the acts amending the same, shall not have the effect of remitting the duties which have become due nor the penalties incurred in virtue thereof, but such duties and penalties shall be collected in virtue of the provisions of the repealed law as if this act had not been passed.

Coming into
force.

3. This act shall come into force on the day of its sanction.

CHAP. 12

An Act to provide for a tax on transfers of shares, bonds, debentures or debenture-stock

[Assented to 9th March, 1906]

HIS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

Tax on
change of
ownership of
shares, &c.

1. In order to provide for the exigencies of the public service, there shall be levied, in accordance with the rules hereinafter set forth, a tax upon every change of ownership consequent upon the sale, transfer or assignment of shares, bonds, debentures or debenture-stock issued by any corporation or company, made

or carried into effect in this Province, except upon the first issue of shares up to the sum of one million dollars.

2. Such tax shall be paid in money or in adhesive stamps, issued according to the laws of this Province, and particularly in accordance with the provisions of the Revised Statutes respecting stamps, and with any order in council passed or to be passed respecting the same. How tax to be paid.

3. The amount of money which shall be paid or of stamps which shall be affixed shall be two cents for every hundred dollars or fraction thereof of the par value of such shares, bonds, debentures or debenture-stock, sold, transferred or assigned. Amount of tax.

4. In case the evidence of such sale, transfer or assignment consists in the entry made in a book or register kept in the Province by the corporation or company, if the payment is made in stamps, the stamps shall be affixed, at the time of the entry, upon the page of the book or register upon which the entry is made, as near as may be to the said entry. Stamps to be affixed upon transfer book.

In cases where such sale, transfer or assignment takes place by the mere delivery or handing over of the certificate or of the security, or when the book or register of the corporation or company is kept outside the Province, the stamps shall be affixed or the tax paid in such manner as the Lieutenant-Governor in Council may, from time to time, determine. If transfer by mere delivery, how tax is to be paid.

5. The stamps shall in all cases be supplied and affixed by the vendor, transferror or assignor, unless the sale, transfer or assignment is effected through a broker, in which case, the broker affixes the stamps, and may recover the cost thereof from the vendor, transferror or assignor. Who affixes stamps, &c.

6. Immediately after having been affixed, the stamps shall be obliterated by the person who has affixed them, as provided for by article 1184 of the Revised Statutes. Obliteration of stamps.

7. No corporation or company shall enter or permit the entry, in any book or register under its control, of any such sale, transfer or assignment, unless the tax be paid when the entry is made. Corporation, &c., not to permit of entry of transfer unless tax paid

In default of payment of the tax, the transferror and the transferee shall each be liable to a penalty not exceeding five hundred dollars, which shall be recovered with costs by ordinary process of law, in His Majesty's name, before the Superior Court. Penalty in default of payment of tax.

If sale &c.,
effected by a
broker not
member of
Stock Ex-
change.

8. Any sale, transfer or assignment made through a broker resident in the Province, not a member or the acknowledged attorney of a member of an existing incorporated Stock Exchange, shall be deemed to be made and carried into effect in the Province, unless the Provincial Treasurer shall certify that the contrary has been established to his satisfaction.

Examination
of books, &c.,
to ascertain
if tax paid.

9. For the purpose of ascertaining whether the tax imposed by this act has been paid, the Provincial Treasurer may authorize in writing an officer of his Department to examine the books and papers of any corporation, company, firm or person; and any corporation, company, firm or person objecting to such examination shall be liable to the penalty provided in section 7 of this act, which shall be recoverable in the manner therein provided; but the person making such examination shall first be sworn not to disclose any information so acquired by him, except to the Provincial Treasurer.

Subpoena
may be
issued if rea-
son to be-
lieve tax is
evaded, for
examination
of persons.

10. The Lieutenant-Governor in Council, upon the report of the Provincial Treasurer to the effect that there is reason to believe that any such corporation, company, firm or person is evading payment of the tax imposed by this act, may require any judge of the Superior Court to issue a subpoena *ex parte* calling upon any such person or on any officer of any such corporation or company, or member of any such firm to appear before him, and he may be there examined under oath concerning any sales, transfers, or assignments in respect of which the tax is exigible and is not shown to have been paid, and no person shall be admitted to such examination except counsel for the Crown and for the parties interested.

Who may be
present at
examination.

Regulations,
for carrying
out act and
payment in
money in
certain cases.

11. The Lieutenant-Governor in Council, may make, amend, replace and repeal all regulations which he may deem necessary for the carrying into effect of the provision of this act; and may, further, provide that where such sales, transfers, or assignments are made through any recognized Stock Exchange, that the tax may be paid in money in lieu of stamps under such regulations as he may think necessary for the protection of the public revenue; all which regulations shall come into force as soon as they are published in the *Quebec Official Gazette*.

Coming into
force of such
regulations.

R. S., 1159,
1160, 1162 to
1166 to ap-
ply.

12. Articles 1159, 1160, 1162, 1163, 1164, 1165 and 1166 of the Revised Statutes shall apply to this act.

Application
of act.

13. This act shall not apply to any transfer or assignment of shares, bonds, debentures or debenture stock made *bona fide* for the security of loans nor to the re-transfer or re-assignment of the same to the borrower, nor to any transmission owing to death.

14. The persons appointed to collect the said tax in any part of the Province shall be known as stock tax-collectors. Name of collector.

15. The act 5 Edward VII, chapter 15, is repealed. 5 Ed. VII, c. 15, repealed.

16. No sale, transfer or assignment made since the passing of the said act shall be held to be illegal, invalid or not binding by reason of the non-payment of the tax provided for in the said act, but the right of the Crown to recover the said tax or to enforce the penalties provided in the said act shall not be affected by the repeal thereof. Certain transfer, &c., not held to be illegal. Penalties under repealed act, &c.

17. This act shall come into force on such day as the Lieutenant-Governor in Council may be pleased to fix by proclamation. Coming into force.

CHAP. 13

An Act respecting motor vehicles

[Assented to 9th March, 1906]

HIS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

I.—INTERPRETATIVE AND DECLARATORY

1. 1. The expression: "motor vehicle" in this act comprises all vehicles propelled by any power other than muscular force, excepting railway and tramway cars and motor vehicles running only on rails or railroads and road rollers and traction engines. "Motor vehicle" defined.

2. The word: "*chauffeur*" in this act means a person skilled in operating motor vehicles, who habitually drives such vehicles as a means of livelihood. "Chauffeur" defined.

II.—REGISTRATION OF VEHICLES

2. Every person acquiring a motor vehicle shall, for every such vehicle owned by him, file in the office of the Provincial Treasurer a statement of his name and address, with a brief description of the motor vehicle to be registered, with the name of the manufacturer, factory number, style of vehicle, motive power and strength thereof, on a blank to be supplied by the Provincial Treasurer for that purpose, and he shall pay a registration fee of five dollars, the amount of such fee to be sent in with the application. Statement to be filed with Provincial Treasurer by owner of motor vehicle and what to contain, &c.

Registration of and number to be given to vehicle. **3.** On receipt of such statement the Provincial Treasurer shall at once register such motor vehicle in a book kept in the Department for that purpose and assign to it a distinctive number.

Certificate to be delivered by Provincial Treasurer and what to contain. **4.** The Provincial Treasurer shall, after such registration, deliver to the owner of the motor vehicle a certificate signed by him and bearing the date of issue, containing the particulars set forth in the statement filed with him, with the number assigned to such vehicle, together with a metal or leather seal, two inches wide by three inches in length, on which shall be stamped in legible letters and figures the words: "Registered Automobile (or, as the case may be) No. ———, Province of Quebec," the registered number being inscribed thereon; which seal shall be affixed in a conspicuous position on the vehicle, and the number so given shall also be painted in letters four inches in height and one inch in width in a distinct and contrasting color and kept clean and free from dust or mud, on the front and back of the vehicle in the case of automobiles and on the back in that of motor cycles, so as to be easily distinguished, with the word: "Quebec" underneath the same, in letters of a similar size, under the penalty hereinafter provided. The certificate of registration shall be carried in some easily accessible place in the motor vehicle described therein.

Together with seal with certain inscription thereon.

Seal to be affixed on vehicle.

Number to be painted thereon.

Certificate to be kept in vehicle.

No motor vehicle to be used without seal and number. **5.** No motor vehicle shall be used on any highway or road unless it bears such seal and number.

Residents of other province not obliged to register, &c. **6.** The owner of a motor vehicle who resides in any other Province of Canada shall not be obliged to register such vehicle under this act before using the same in this Province, provided such vehicle bears a number indicating registration elsewhere.

Non residents of Canada to come under provision of section 2 of act, and further to furnish bond for certain sum, unless dispensed with. **7.** The owner or the operator of a motor vehicle who does not reside in Canada shall come under the operation of section 2 of this act, and shall further furnish a bond to the Provincial Treasurer in such manner and form as the latter may determine, for an amount of one hundred dollars as security for any damage which may be caused by him in operating his vehicle in the Province of Quebec.

The Provincial Treasurer may, however, in his discretion, make such individual exceptions to the provisions of this section as he may see fit, when satisfactory assurances are given that any damage caused will be duly paid.

Manufacturers, &c., of motor vehicles may **8.** Any manufacturer of or dealer in motor vehicles may, instead of registering each motor vehicle owned or controlled by him, make application for a general distinguishing number or

mark, and the Provincial Treasurer may, if satisfied of the facts stated in said application, grant the same and issue to the applicant a certificate of registration containing the name, place of business and address of the applicant and the general distinguishing number or mark assigned to him, and made in such form and containing such further details and provisions as the Provincial Treasurer may determine; and all motor vehicles owned or controlled by such manufacturer or dealer shall, until sold or let for hire or loaned for a period of more than five successive days, be regarded as sufficiently registered under such general distinguishing number or mark. The fee for a manufacturer's or dealer's certificate shall be ten dollars. Nothing in this section shall be construed to apply to a motor vehicle employed by a manufacturer or dealer for private use or for hire.

obtain distinguishing mark and registration on application.

Effect of such registration.

Fee for such registration. Proviso.

9. No motor vehicle shall be used or operated upon the public highways which shall display thereon a registration seal or number belonging to any other vehicle, or a fictitious registration seal or number.

Fictitious seals, &c., not to be used on vehicles.

10. Upon the transfer of ownership of any motor vehicle the registration thereof shall expire, and the person in whose name such vehicle is registered shall immediately return the certificate of registration to the Provincial Treasurer with a written notice containing the date of such transfer of ownership, and the name, place of residence and address of the new owner.

Transfer of ownership of motor vehicle and surrender of certificate.

11. The Provincial Treasurer may assign to any person who so surrenders his registration certificate, and who desires to register another motor vehicle, the distinguishing number or mark described in the surrendered certificate.

Power of Treasurer on surrender of certificate.

III.—LICENSES.

12. 1. Every person, who desires to operate a motor vehicle otherwise than as a *chauffeur*, must previously obtain an operator's license valid for one year, for which he shall apply to the Provincial Treasurer, which shall be issued to him in such manner and form as the said Provincial Treasurer may determine.

Operators' license.

2. Before an operator's license is granted, the applicant shall present such evidence as to his qualifications as may be required by the Provincial Treasurer.

When issued.

13. Every person who desires to operate a motor vehicle as a *chauffeur* must previously obtain a *chauffeur's* license; to

Chaufeur's license and formalities

required to obtain same. this end he shall file in the Treasury Department on a blank to be furnished to him from the said Department, a statement which shall include his name and address, and the trade name and motive power of the vehicle which he is able to operate. Such statement shall be filed and recorded in the Department, and a number shall be assigned to such *chauffeur*. The Provincial Treasurer shall thereupon issue to the applicant a *chauffeur's* license and shall deliver to him a metal badge of such size and dimensions as he may select, with the words: "Registered Chauffeur No. Quebec," stamped or painted thereon, which badge shall be at all times worn by such *chauffeur* when operating a motor vehicle on the public roads, under the penalty hereinafter provided.

Issue of license and badge.

Badge to be worn when *chauffeur* operates motor vehicle.

When license to be issued. **14.** No such *chauffeur's* license shall be granted before the applicant shall have given such proof of his qualifications thereupon as may be required by the Provincial Treasurer.

Expiring of license and renewal thereof. **15. 1.** Each operator's or *chauffeur's* license expires on the first day of April in each year, and is renewable at that date; the fee for each such license and renewal thereof is five dollars, the amount of said fee to be sent in with the application.

License to be carried. Every holder of a license under this act must carry his license with him when operating a motor vehicle.

Suspension, &c., of license. **2.** The Provincial Treasurer may, at any time, suspend or revoke any license for any violation of this act or any of the regulations made thereunder.

IV.—INFRINGEMENTS OF THIS ACT

Refusal to exhibit license, an offence. **16.** The refusal by any operator or *chauffeur* to exhibit his license or certificate of registration when called upon so to do by an authorized representative of the Provincial Treasurer, is an offence against this act.

Penalty on person operating motor vehicle when license suspended. **17.** No person whose certificate of registration or license to operate has been suspended or revoked shall operate a motor vehicle thereafter in this Province while such suspension or revocation remains in force; and any person convicted of so doing, and any person convicted of operating or causing or permitting any other person to operate a motor vehicle after the certificate of registration for such vehicle has been suspended or revoked, shall be punished by a fine not exceeding one hundred dollars or by imprisonment for a term of ten days, or by both such fine and imprisonment.

Suit for penalties not **18.** The infringements of any of the provisions of this act, not specially provided for, shall render the guilty party liable, upon

an action taken before the Circuit Court or magistrate's court or on conviction before a justice of the peace, for the first offence to a fine not less than twenty dollars nor more than one hundred dollars and, in default of payment, to imprisonment not exceeding one month, or to both, and for a second or every subsequent offence to a fine of from one hundred to two hundred dollars, and, in default of payment, to imprisonment not exceeding two months.

otherwise provided for before what court brought. Amount of penalties.

19. Prosecutions under this act before a justice of the peace shall be governed by part LVIII of the Criminal Code, 1892, (articles 839 to 909.)

Law to govern prosecutions.

20. The justice or court before whom any person is convicted under the provisions of section 17 or 18 of this act, shall cause to be entered upon the certificate of registration of the person so convicted the date of such conviction, the name of the court and the penalty imposed.

Entry of convictions upon license by convicting magistrate, &c.

21. A full record shall be kept by every justice of the peace and by every court in this Province of every case in which a person is convicted under the provisions of this act or of any other act relative to motor vehicles, and a certified copy of such record shall be sent forthwith by each such court or justice to the Provincial Treasurer.

Record of convictions to be kept and sent to Provincial Treasurer.

The said courts and justices shall report to the Provincial Treasurer the details of any particularly flagrant cases which may be heard before them, and they may make such recommendations to the Provincial Treasurer as to the suspension or revocation of the license or certificate of registration of the persons defendant in such cases as they may deem necessary.

Particularly flagrant case, &c., to be reported to Provincial Treasurer.

The Provincial Treasurer shall keep such records in his Department, and they shall be open to the inspection of any person during reasonable business hours.

Keeping and inspection of records.

22. Any person using, interfering or tampering with any motor vehicle without the permission of the owner, besides being liable for all damages caused, shall upon conviction be liable to a fine of not less than ten dollars or imprisonment not exceeding six months or both.

Penalty for tampering with motor vehicle.

X.—ROAD AND SPEED PROVISIONS

23. Whenever a person operating a motor vehicle shall meet a horse or horses or other draft animals, or any vehicle, the person so operating such motor vehicle shall seasonably turn the same to the right of the centre of such highway so as to

Operator of motor vehicle to run to right of centre of

road when
meeting
horses, &c.

Duty at
crossings.

Operator of
motor ve-
hicles to take
precautions
when meet-
ing horses,
&c.

To stop if
notified.

Motor to be
stopped if
horse, fright-
ened.

Speed of mo-
tor vehicles
in certain
municipal-
ities after
dark.
Brakes, &c.,
bell or
horn to be
provided.

Lamp or
lamps also.

Number to
be inscribed
on lamp, &c.

Municipal
by-laws reg-
ulating
speed in-
validated.

pass without interference. Any such person so operating a motor vehicle shall, on overtaking any such horse, draft animal or vehicle, pass on the left side thereof, and the rider or driver of such horse, draft animal or vehicle shall, as soon as practicable, turn to the right so as to allow free passage on the left. Any such person so operating a motor vehicle shall, at the intersection of public highways, keep to the right of the intersection of the centre of such highways when turning to the right or left.

24. 1. Every person having the control or care of a motor vehicle shall, upon any street or public road, and upon the approach of any horse being ridden, driven or led or of any vehicle drawn by a horse, so manœuvre such motor vehicle as to take every reasonable precaution to prevent such horse being frightened, and to safeguard and protect the person riding, driving or leading it; and, if such horse appears to be frightened, the person driving the motor vehicle must diminish the speed thereof and, if required, by a signal made by lifting the hand or otherwise, by the person in charge of such horse, he shall stop and shall not approach nearer such animal unless such movement be necessary to avoid an accident or damages, or such animal appears to be under the control of the person in charge thereof.

2. If the horse is badly frightened or the person operating such motor vehicle is requested so to do, he shall cause the motor of such vehicle to cease running so long as shall be reasonably necessary to prevent accident and insure the safety of others.

3. The rate of speed of such motor vehicle in towns and in municipalities governed by the Municipal Code, between dusk and daylight, shall not exceed six miles per hour.

25. Every motor vehicle, while in use on a public highway, shall be provided with good and sufficient brakes, and also with a suitable bell, horn or other signal, and, if an automobile, shall exhibit during the period from one hour after sunset to one hour before sunrise, two lamps showing white lights visible within a reasonable distance in the direction toward which such vehicle is proceeding, showing the registered number of the vehicle in separate Arabic numerals, not less than one inch in height and each stroke to be not less than one-quarter of an inch in width, and also a red light visible in the reverse direction; and, if a motor cycle, one lamp shall be affixed to the front thereof.

26. No ordinance, by-law or regulation now in force in any city, town or other municipality which regulates the speed at which automobiles or motor cycles shall be run upon its public

ways shall hereafter have any force or effect. Nothing herein contained shall, however, be so construed as to affect the rights of boards of park commissioners, as authorized by law; and such boards and the local authorities may, notwithstanding the provisions of this act, make, enforce and maintain such reasonable by-laws, rules and regulations concerning the speed at which motor vehicles may be operated in any parks or parkways within a city, but, in that event, must, by signs at the entrance of such park and along such parkway, conspicuously indicate the rate of speed permitted or required, and may even exclude motor vehicles from any park, parkway and cemetery or grounds used for the burial of the dead.

27. A motor vehicle shall not be driven at a speed greater than six miles an hour, within the limits of a city, town or village, nor at a speed greater than fifteen miles an hour in any other locality.

28. When approaching a sharp angle, bridge or steep descent in the highway, or intersecting highways and crossings, the speed of the motor vehicle shall be reduced to four miles per hour and a signal shall be blown upon approaching an angle in a highway.

29. In case of any accident to a person or property on the public highway, due to the operation of a motor vehicle thereon, the person operating such vehicle shall stop and, upon being required by any person present, give such person his name and address, together with the registered number, name and address of the owner of such vehicle, under the penalty herein-after provided in case of refusal.

30. Nothing in this act shall be construed to curtail or abridge the right of any person to prosecute a civil action for damages by reason of injuries to person or property resulting from the negligent use of the highways by a motor vehicle or its owner or his employee or agent.

31. Subject to the provisions of this act, municipal corporations or councils shall have no power to pass, enforce or maintain any by-law or resolution requiring of any owner or operator of a motor vehicle any license or permit to use the public highways, or excluding or prohibiting any motor vehicle, whose owner has complied with this act, from the free use of such highways, except such driveway, speedway or road as has been or may be expressly set apart by law for the exclusive use of horses and light carriages, or except as herein provided, in any way affecting the registration or numbering of motor vehicles or

Proviso to
parks, &c.

Limit of
speed of mo-
tor vehicles.

Speed on
bridges and
down de-
scents, &c.

Operator of
motor ve-
hicle to give
name and
address if
required in
cases of acci-
dent to per-
sons, &c.

Civil action
for damages
not affected
by this act.

No municip-
al corpora-
tion to exact
license to
operate on
roads of
municipality
or to prevent
use thereof.

Exception as
to certain
roads, &c.

prescribing a lower rate of speed than herein specified at which such vehicles may be operated, or the use of the public highways, contrary to or inconsistent with the provisions of this act; and all such by-laws, rules or regulations now in force are hereby declared to be of no validity or effect.

VI.—MISCELLANEOUS PROVISIONS

Chauffeurs to take out license within certain time after coming into force of act. **32.** No person shall operate a motor vehicle as a *chauffeur* upon the public highways after thirty days after the coming into force of this act, without being registered as hereinabove provided under the penalty hereinabove provided.

Chauffeurs not to permit of others wearing badge, &c. **33.** No *chauffeur*, being registered as hereinabove provided, shall voluntarily permit any other person to wear his badge, nor shall any person while operating a motor vehicle wear any badge belonging to another person or a fictitious badge.

Unlicensed person not to be employed as chauffeur. **34.** No person shall employ as *chauffeur* of a motor vehicle any person not specially licensed as such.

Any person may operate vehicles if with licensed chauffeur. **35.** The provisions of this act shall not prevent the operation of motor vehicles by unlicensed persons if riding with or accompanied by a licensed *chauffeur* or operator.

Motor vehicles not to be left unattended, &c. **36.** Every motor vehicle shall be provided with a lock, key or other device to prevent said vehicle from being set in motion, and no person shall allow any such vehicle operated by him to stand or remain unattended in any street, avenue, road, alley, highway, park, parkway or other public place without first locking or making fast the vehicle as above provided.

Appointment of officer by Provincial Treasurer to see to administration of act. **37.** For the issue of certificates and licenses and for the general administration of this act, and any regulations made thereunder, the Provincial Treasurer may appoint to represent him and act in his name any such officers or persons as he may select, and such officers or persons so appointed may administer oaths and take testimony; but all legal proceedings instituted on behalf of the Crown for infringements of this act, or in recovery of any sums due to the Crown under the said act, shall be taken in the name of any collector of provincial revenue.

Exception as to legal proceedings. **38.** The Lieutenant-Governor in Council may make a tariff of the fees to be taken by the Provincial Treasurer for the issue of the certificate and of the seal mentioned in this act, in modification of the sums mentioned in this act, and also all such further regulations he may deem necessary for the efficient working thereof.

Certain tariff of fees and regulations, &c. by Lieutenant-Governor in Council.

39. Any sum that may become due to the Crown, in virtue of this act, shall constitute a privileged debt upon a motor vehicle ranking immediately after law costs. Privilege of debts due Crown.

40. The fees imposed by this act shall form part of the consolidated revenue fund of the Province. Fees to form part of consolidated revenue fund

41. Any proportion of such fees may be applied, from time to time, by the Provincial Treasurer, under the direction of the Lieutenant-Governor in council, to the payment of the expenses incurred for carrying out this act. Application of portion of fees.

42. The act 4 Edward VII, chapter 30, is repealed.

4 Ed. VII, c. 30, repealed.

43. This act shall come into force on the day of its sanction.

Coming into force.

CHAP. 14

An Act respecting Trust Companies

[Assented to 9th March, 1906]

HIS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

1. All trust companies doing business in this Province shall be subject to inspection by an officer of the Treasury Department to be specially named for that purpose. Inspection of trust companies.

2. Articles 5378, 5379, 5380, 5381, 5383, 5386 and 5387 of the Revised Statutes shall apply to such inspection and to the trust companies subjected thereto. Certain articles of R. S. to apply thereto.

3. Towards defraying the expenses of the inspector's office, a sum not exceeding three thousand dollars shall be, annually, contributed and paid to the Provincial Treasurer by the trust companies hereinabove referred to. Sum payable annually by trust companies for that purpose.

Such sum shall be assessed *pro rata* according to the paid up capital of each company, and the certificate of the Provincial Treasurer shall be conclusive as to the amount each or any company is to pay under this article. How-assessed.

4. Each such company shall, on or before the first day of October in each year, make and file with the inspector a report Annual report to be filed with

inspector and what to contain. of its operations during the year ending on the thirty-first of August immediately preceding; which report shall include:

1. A list of its officers and members;
2. A statement of the authorized capital;
3. A statement of the capital subscribed;
4. A statement of the investments of the company in the Province;
5. A list of the estates for which it is acting as trustee, etc.;
6. A statement of the company's assets and liabilities;
7. A statement showing the dividends declared and paid, and
8. Any other and further particulars which may be required by the Provincial Treasurer.

CHAP. 15

An Act to amend the law respecting public lands

[Assented to 9th March, 1906]

HIS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

R. S., 1275 § 2, repealed and clause (c) added to article. No resolutive clause to be therein, &c. **1.** Paragraph 2 of article 1275 of the Revised Statutes, as replaced by the act 4 Edward VII, chapter 13, section 9, is repealed, and the following clause is added to said article:

“(c) Contain no resolutive clause or faculty of redemption, conditions, obligations or charges which have not been previously settled or discharged, either actually or by agreement or consent of parties.”

R. S., 1275a, repealed. **2.** Article 1275a of the Revised Statutes, as enacted by the act 4 Edward VII, chapter 13, section 9, is repealed.

4 Ed. VII, c. 13, s. 10, repealed. **3.** Section 10 of the act 4 Edward VII, chapter 13, is repealed.

Arts. added after R. S., 1338. **4.** The following paragraph and articles are inserted in the Revised Statutes after article 1338:

“§ 1a.—*Forest Reserves and the cutting of timber thereon*

Forest reserve may be created. **“1339.** It is lawful for the Lieutenant-Governor in council, upon the recommendation of the Minister of Lands and Forests,

to set aside certain tracts of forest lands of the Crown, vacant at the time, to be and remain forest reserves.

" **1340.** Such lands so set apart for the maintenance and preservation of the forest, for the production, conservation and cultivation of trees, as well as for the purpose of assuring a constant supply of timber and perpetuating and regulating the flow of waters which take their source within these limits, are kept up and administered in virtue of regulations which may, from time to time, be put into force under the authority of the Lieutenant-Governor in Council. Management of such reserves, &c.

" **1341.** The right to cut timber on such reserves shall be sold at public auction as in ordinary cases of forest lands in this Province." Sale of right to cut timber.

5. The first clause of article 1342 of the Revised Statutes, as enacted by section 19 of the act 4 Edward VII, chapter 13, is amended by adding after the words: " during clearing operations", in the fourth line, the following words: " and *en bloc* upon the ten per cent. acreage required for the performance of settlement duties." Id., 1342, § 1, amended.

6. Article 1348 of the Revised Statutes is replaced by the following: Id., 1348, replaced.

"**1348.** All locomotive engines used on any railway which passes through any forest shall, by the company using the same, be provided with and have in use all the most improved and efficient means to prevent the escape of fire or sparks from the furnace, ash-pan or smoke-stack of such engines." Locomotives to have appliances to prevent fire, &c., escaping from furnace, &c.

7. Article 1350 of the Revised Statutes is amended by replacing the words: "one hundred dollars," in the third and fourth lines, by the words: " not exceeding one thousand dollars and not less than two hundred and fifty dollars." Id., 1350 amended.

8. Article 1352 of the Revised Statutes is amended by adding after the word: " wood ", in the third line, the words: " and fire ". Id., 1352, amended.

9. Article 1353d of the Revised Statutes, as enacted by the act 58 Victoria, chapter 19, section 2, is amended by replacing the words: " two hundred dollars and not less than twenty-five dollars," in the fourth and fifth lines, by the words: " five hundred dollars and not less than fifty dollars." Id., 1353d, amended.

10. Article 1358 of the Revised Statutes, as amended by the acts 60 Victoria, chapter 22, section 15, 1 Edward VII, Id., 1358, amended.

chapter 8, section 8, 4 Edward VII, chapter 15, section 1, and 5 Edward VII, chapter 12, section 11, is further amended by adding after the word: "wood" in the sixth line, the words: "and fire".

Coming into
force.

11. This act shall come into force on the day of its sanction.

CHAP. 16

An Act to amend the act establishing the Laurentides
National Park

[Assented to 9th March, 1906]

HIS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

Sec. added to
58 V., c. 22,
after sec. 4.

1. The act 58 Victoria, chapter 22, is amended by adding, after section 4, the following:

Application
of id., s. 4, to
certain pro-
visions.

"4a. The provisions of any general or special act authorizing the taking possession of any part of the Laurentides National Park or the construction of any works within the limits thereof, are subject to the application of section 4 of this act."

Coming into
force.

2. This act shall come into force on the day of its sanction.

CHAP. 17

An Act to establish the Gaspesian Forest, Fish and Game
Preserve

[Assented to 9th March, 1906]

Preamble.

WHEREAS it is desirable and expedient that a certain part of the unsurveyed and ungranted lands of the Crown in the Peninsula of Gaspé be erected into a forest reserve with the view of the preservation of the forest whilst permitting the cutting of timber as provided for by the regulations, thus ensuring the maintenance of natural irrigation as it at present exists and which is necessary to the most successful preservation of the agricultural industry and for the production and perpetuation of the fish and game in the said region;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

1. The territory lying partly in the county of Matane and partly in the county of Gaspé, described as follows: Certain territory withdrawn from sale, and certain order in council confirmed.

"Commencing on the division line between the county of Matane and the county of Bonaventure at the intersection of the 67th meridian of east longitude with the rear line of the county of Bonaventure; thence along the said rear line of the county of Bonaventure, and the continuation thereof on the same bearing to the 65th meridian of east longitude at Lake Edward in the county of Gaspé; thence north along the said 65th meridian to the 49th parallel of north latitude; thence west along the said 49th parallel to its intersection with the rear line of the township of Cape Chat; thence following the rear lines of the townships of Romieu, Dalibaire and Cherbourg in the county of Matane to the 67th meridian aforesaid; thence south along the said 67th meridian to the place of beginning; comprising an area of about 2,500 square miles, more or less," as set apart as a forest reserve by order in council of the 28th April, 1905, is withdrawn from sale and occupancy, except as hereinafter provided; and the said order in council, schedule of this act, is confirmed.

2. The said territory is set apart as a forest reservation, fish and game preserve, public park and pleasure ground, under the control of the Minister of Lands and Forests for the people of the Province, subject to the provisions of this act and the regulations to be made thereunder, and is further subject to the control of the Minister of Colonization, Mines and Fisheries in so far as hunting and fishing therein are concerned, and shall be known as the: "Gaspesian Forest, Fish and Game Preserve." Territory set apart as a preserve. Name.

3. The Lieutenant-Governor in Council may add to the preserve any adjoining Crown lands which have not been conceded. Power to add to preserve.

4. No person shall, except under lease, license or permit, locate, settle upon, use or occupy any portion of the said preserve, nor shall any lease, license or permit be made, granted or issued which will in any way impair the usefulness of the preserve. Settlement therein prohibited.

5. The provisions of any general or special act authorizing the taking possession of any part of the Gaspesian Forest, Fish and Game Preserve or the construction of any works Provisions of certain acts, subject to application

of preceding section.

within the limits thereof, are subject to the application of the preceding section.

Appointment of superintendent.

6. The Lieutenant-Governor in Council may appoint a superintendent for carrying out the provisions of this act and the regulations thereunder.

Appointment of officers.

The wardens, rangers and other necessary officers shall be appointed by the Minister of Lands and Forests, or the Minister of Colonization, Mines and Fisheries, as the case may be.

Power of Lieutenant-Governor in Council to make regulations for certain purposes.

7. The Lieutenant-Governor in Council may make, amend and revoke regulations for the following purposes:

a. The management, preservation, care and improvement of the preserve and of the water-courses, lakes, trees and shrubbery, minerals, natural curiosities and other matters therein;

b. The prevention and extinction of fires;

c. The preservation and protection of the fish, game, wild birds generally, and all animals in the preserve, and the destruction of wolves, bears and other noxious, injurious or destructive animals;

d. The powers and duties of the superintendent, wardens, rangers and other necessary officers, and the salary and other remuneration to be allowed them out of any moneys which may be set apart for the purpose;

e. The removal and exclusion of trespassers, and the confiscation or destruction of guns or other firearms or explosives, traps, nets, spears or other weapons or implements for hunting or fishing found within the limits of the preserve without proper authority;

f. The issuing of licenses for shops and for houses for the accommodation of visitors and places where trade and industries, necessary for the accommodation of persons resorting to the preserve, may be carried on;

g. The issuing of licenses to cut timber within the limits of the preserve in respect of timber berths heretofore sold, and for the improvement of the preserve, and for fire-wood for the use of persons engaged in and about the preserve;

h. The working of mines and the developing of mining interests within the limits of the preserve, and the issuing of licenses or permits of occupation for such purpose, and for exploring or prospecting for mines and minerals;

i. The lease for any term of years of such parcels of land in the preserve as he deems advisable for the construction of dwelling-houses and such other buildings as may be necessary for the accommodation of visitors or persons resorting to the preserve;

j. And, generally, all purposes necessary to carry this act into effect.

All such regulations shall be published twice in the *Quebec Official Gazette*, and shall, thereafter, have force of law.

Publication of regulations.

8. Any person violating any provision of this act or any of the regulations made thereunder, shall be liable to a penalty of not less than five dollars and not more than fifty dollars, with costs, and, in default of payment thereof, to imprisonment for a period of not less than one month, nor more than three months, with or without hard labor.

Penalty for infringing law or regulations.

9. No person shall fish within the waters or hunt within the limits of the preserve, without a license granted by the Minister of Colonization, Mines and Fisheries or by a person by him appointed for that purpose, under the penalty provided for by section 8 of this act.

Fishing, &c., without license prohibited.

10. The superintendent or any preserve ranger or constable may, on view and without warrant, arrest and bring before a justice of the peace, or before the superintendent, to be dealt with according to law, or may arrest and remove from the limits of the preserve any person found violating the provisions of this act or the regulations made thereunder.

Arrest and removal of offenders.

11. All nets, traps, spears, firearms, explosives, weapons or instruments, seized under the regulations made under this act and confiscated, shall be sold, and the proceeds thereof, after deducting the necessary expenses, shall be applied as hereinafter provided.

Destruction of nets, &c.

12. No timber or wood shall be felled or cut within the limits of the preserve, except under the authority of a timber license issued under the provisions of the law relating to woods and forests or any regulations thereunder, or by the authority of the Minister of Lands and Forests or under the regulations for the government of the preserve.

Cutting of timber.

13. A license to cut timber upon any lands being part of the preserve shall not entitle the holder thereof to exclusive possession of such land or territory as against the Crown or the agents or servants thereof, nor shall any such license exempt the holder thereof, his agents or servants, from the prohibitions relating to fishing, hunting and the carrying and using of firearms within the limits of the preserve.

Rights of licensee not to comprise infringing regulations respecting preserve.

14. Mining exploration or prospecting for minerals within the preserve is prohibited, except in accordance with the regulations to be made in that behalf.

Mining, &c. prohibited except under regulations.

Sale of
liquors, pro-
hibited, &c.,

15. No license for the sale of intoxicating liquors within the preserve shall be issued; and any intoxicating liquor found within the limits of the preserve and held for the purpose of sale contrary to the provisions of the Quebec License Law may be seized and destroyed by any preserve ranger or by any constable or collector of provincial revenue having authority; and the said rangers shall have all the powers and authority of a collector of provincial revenue for the purpose of enforcing the provisions of the Quebec License Law and the provisions of this act therein.

Certain stat-
utes to ap-
ply to pre-
serve.

16. Nothing herein contained shall withdraw the said territory comprising the preserve nor that within a mile from any part thereof from the operation of the Revised Statutes respecting fisheries and the game laws, except where it is otherwise provided.

Damages
suffered may
be collected
from offend-
ers.

17. In addition to any penalty provided by this act or by the regulations made thereunder, the offender shall be liable for all damages caused by him, and the same may be recovered in any court of competent jurisdiction.

Territorial
jurisdiction
of superin-
tendent.

18. The superintendent shall, within the limits of the said preserve and for one mile from any part thereof, for the purposes of enforcing law and order and the provisions of this act, and of any regulations which may be made by virtue thereof, have all the powers, rights and privileges of a police magistrate.

Place of im-
prisonment
of offenders.

19. Any person arrested for violation of any of the provisions of this act, or of any regulations made thereunder, punishable upon summary conviction by a justice of the peace or the superintendent, may, either before or after conviction, be imprisoned in the common gaol or any lock-up within the district of Rimouski or Gaspé, whichever may to the justice or superintendent appear to be the most convenient.

Complainant
competent
witness, &c.

20. Upon the hearing of any information or complaint made under this act or under the regulations thereunder, the person giving the information or complaint shall be a competent witness, notwithstanding such person may be entitled to part of the pecuniary penalty on the conviction of the offender, and the defendant shall also be a competent and compellable witness.

Before whom
prosecutions
are brought.

21. All prosecutions for the punishment of any offence under this act, not otherwise provided for, may take place before any police magistrate, or one or more of justices of the peace, or before the superintendent.

22. One-half of every fine or penalty imposed by virtue of Application this act shall belong to His Majesty, and may be devoted of penalty. towards paying the expenses incurred in carrying out its provisions, and the other half thereof, when collected, shall be paid over to the prosecutor or informant, together with any costs which he may have incurred and which may be collected.

The superintendent, rangers or other employees of the preserve shall not be entitled to any share of any fine or penalty. Superintendent, &c., not to share in penalty.

23. The provisions and the forms of the Criminal Code, Law to apply to prosecutions. 1892, respecting summary convictions, shall govern prosecutions and proceedings under this act, in so far as applicable.

24. All revenue derived from the issue of licenses and Application permits, and the granting of leases under this act, shall be paid of revenues. into a special fund and be applied to paying the expenses incurred in carrying out its provisions; and, until such fund is Certain sum granted for expenses of preserve. sufficient, a sum of three thousand dollars per annum is appropriated for any expenditure which may be incurred by the Minister of Lands and Forests therefor.

25. This act shall not affect any rights under any timber Rights not license or leases to any person or to any fish or game club. affected.

26. This act shall come into force on the day of its sanction. Coming into force.

SCHEDULE

COPY of a report of a Committee of the Honorable the Executive Council, dated the twenty-seventh of April, one thousand nine hundred and five, approved by the Lieutenant-Governor on the twenty-eighth of April, one thousand nine hundred and five

No. 255.

On the setting apart of a portion of the Peninsula of Gaspé as a Forest Reserve under the act 4 Edward VII, chapter 13, section 7

The Honorable the Minister of Lands, Mines and Fisheries, in a report dated the twenty-seventh of April, (1905), sets forth:

That it is desirable and expedient that a certain part of

the unsurveyed and ungranted lands of the Crown in the Peninsula of Gaspé be erected into a Forest Reserve, with the following object in view, viz:—the preservation of the forests, whilst permitting the cutting of timber as provided for by the regulations now or hereafter in force, thus insuring the maintenance of natural irrigation as exists at present and which is necessary to the most successful prosecution of the agricultural industry, and for the protection and perpetuation of the fish and game in said region;

That such reserves as herein described have been established on a large scale in the neighboring Provinces and in the United States and are continually being enlarged and added to, and that where such reserves have been created years ago, the results have already been found productive of good to the public at large;

That the territory in question is bounded as follows:

“Commencing at the intersection of the 67th meridian, thence along the rear line of Bonaventure county; thence on the same bearing to the 65th meridian at Lake Edward; thence north along the 65th meridian to the 49th parallel; thence west along the 49th parallel to the intersection with rear line of township Cap Chat; thence following rear line of townships Romieu, Dalibaire and Cherbourg to the 67th meridian; thence south along the 67th meridian to the place of beginning, comprising an area of about 2,500 square miles, more or less;”

That the territory above described is eminently adapted for the purpose stated, being largely unfit for settlement, numerous large and important rivers taking their rise therein, and being well stocked with fish and game, all of which it is in the public interest to protect;

Therefore the Honorable the Minister recommends that the above described territory be set apart as a Forest Reserve, under the name of “The Gaspesian Forest Reserve,” in conformity with the provisions of the act 4 Edward VII, chapter 13, section 7.

Certified,

GUSTAVE GRENIER,
Clerk of the Executive Council.

CHAP. 18

An Act to amend the Quebec Fishery laws

[Assented to 9th March, 1906]

HIS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

1. Article 1374a of the Revised Statutes, as enacted by the R. S. 1374a, act 62 Victoria, chapter 23, section 1, is amended by adding the amended. following, after paragraph 6:

"7. The words: "inspector of fisheries" mean any person Inspector of fisheries. vested with the attributes of such office."

2. Article 1375 of the Revised Statutes, as enacted by the act Id., 1375, 62 Victoria, chapter 23, section 1, is amended:

a. By replacing paragraph 2 by the following: § 2, replaced.

"2. Persons having their domicile in the Province do not Residents do require a license to fish with rod and line or with a line, as the not require case may be, in the waters of the Province which are not under license. lease;"

b. By replacing the second clause of paragraph 3 by the § 3, amended. following:

"The fee required is determined in each case by the Minis- Fee on li- tery, but shall not exceed twenty-five dollars." cence.

3. Article 1378 of the Revised Statutes, as enacted by the act Id., 1378, 62 Victoria, chapter 23, section 1, is amended by adding after amended. the words: "the regulations from time to time made," in the second and third lines, the words: "and the fees fixed."

4. Article 1383 of the Revised Statutes, as enacted by the Id., 1383, act 62 Victoria, chapter 23, section 1, is amended: amended.

a. By adding after the word: "regulations", in the third and fourth lines, the word: "fees."

b. By adding after the word: "federal", in the sixth line, the words: "laws, fees and".

5. The following article is inserted in the Revised Statutes Art. added after article 1383, as enacted by the act 62 Victoria, chapter to id., after 23, section 1: 1383.

"**1383a.** The occupants mentioned in the foregoing article Occupants are also bound to allow lessees of a fishing reserve who have no to allow pas- means of issue to the public highways to pass over their lands sage by less- ees over

their property upon payment of indemnity if necessary. at the most suitable spot and where the least damage can be done. If the parties cannot agree as to the place to be chosen and the indemnity to be paid, the whole shall be submitted to the decision of the Lieutenant-Governor in Council."

Id., 1390, amended. **6.** Article 1390 of the Revised Statutes, as enacted by the act 62 Victoria, chapter 23, section 1, is amended by adding the following clause thereto:

Payment by new lessee for buildings, &c. "Should the previous lessee, however, cease of his own accord to continue his lease or should he refuse to renew the same on the expiry thereof, the new lessee shall be bound to pay only the actual cost or actual value of the necessary buildings or improvements. In the event of a difference of opinion, such value shall be determined in the manner indicated in the foregoing clause."

Id., 1394, replaced. **7.** Article 1394 of the Revised Statutes, as enacted by the act 62 Victoria, chapter 23, section 1, is replaced by the following:

Settlement of disputes. **"1394.** Disputes relative to fishing limits or claims to fishing stations, or relative to the position of nets or other fishing apparatus shall be settled by the local fishery overseer; but his decision may, however, be revised by the Minister on appeal being taken to him within a reasonable delay."

Appeal to Minister.

Id., 1394a, replaced. **8.** Article 1394a of the Revised Statutes, as enacted by the act 62 Victoria, chapter 23, section 1, is replaced by the following:

Distance between fisheries and removal of fishing apparatus, &c. **"1394a.** Any fishery overseer may, subject to the appeal mentioned in the foregoing article, determine or prescribe the distance between every fishery, and may forthwith remove any fishing apparatus which the owner neglects or refuses to remove; and such owner shall moreover be guilty of an infringement of this section and shall be responsible for the cost of removing such fishing apparatus."

d., 1394k, replaced. **9.** Article 1394k of the Revised Statutes, as enacted by the act 62 Victoria, chapter 23, section 1, is replaced by the following:

Damaging fishways. **"1394k.** No person shall injure or obstruct any fishway or do anything to deter or hinder fish from entering or ascending the same, or injure or obstruct any authorized dams, under a penalty for each offence of not less than ten dollars nor more than fifty dollars, and costs, and, in default of payment, an imprisonment of not less than fifteen days nor more than three months over and above all damages resulting therefrom."

Penalty.

10. Article 1394^l of the Revised Statutes, as enacted by the Id., 1394^l, act 62 Victoria, chapter 23, section 1, is amended by adding ^{amended.} after the words: "inspector-general", in the second line of paragraph (b), the word: "inspectors."

11. Article 1394^m of the Revised Statutes, as enacted by the Id., 1394^m, act 62 Victoria, chapter 23, section 1, is replaced by the fol- ^{replaced.} lowing:

"**1394^m.** Except when otherwise provided, every one who ^{Penalty for} violates any provision of this section, or of the regulations under ^{violation of} it, shall be liable, for a first offence, to a fine of not less than five ^{provisions of} and not more than thirty dollars, in addition to the costs, and, ^{section.} in default of payment, imprisonment for not less than eight days nor more than one month; for a second offence, to a fine of not less than twenty and not more than sixty dollars, in addition to the costs, and, in default of payment, imprisonment for not less than fifteen days, nor more than two months; and, for the third and every subsequent offence, to an imprisonment for not less than thirty days, nor more than three months."

12. Article 1394ⁿ of the Revised Statutes, as enacted by the Id., 1394ⁿ, act 62 Victoria, chapter 23, section 1, is replaced by the following: ^{replaced.}

"**1394ⁿ.** The fine belongs, in each case one-half to the ^{Application} Crown and one-half to the person obtaining the conviction." ^{of fine.}

13. The following article is added after article 1394^z of the ^{Art. added} Revised Statutes, as enacted by the act 62 Victoria, chapter 23, ^{to id., after} section 1: ^{1394^z.}

"**1394^{aa}.** Whosoever uses dynamite or other explosives ^{Penalty for} for catching any of the fish to which this act applies, is liable to ^{using explo-} an imprisonment of not less than thirty days and not more ^{sives.} than three months."

14. Article 1395 of the Revised Statutes, as enacted by the Id., 1395, re-act 62 Victoria, chapter 23, section 1, is replaced by the fol- ^{placed.} lowing:

"**1395.** The game superintendent-general and the game- ^{Duties of} inspector-general shall perform the duties of superintendent ^{game super-} and inspector of fisheries for the whole Province. ^{intendent} ^{general.}

Game inspectors shall perform the duties of fishery inspect- ^{Id. of game} ors in the divisions for which they are appointed. ^{inspectors.}

The superintendent-general and inspector-general, are *ex* ^{Certain offi-} *officio* justices of the peace for the whole Province, and they ^{cers ex officio} also have in each fishery division the same powers as fishery ^{justices of} overseers. Game inspectors shall have such powers only with- ^{the peace.} in their respective divisions."

Id., 1395a,
replaced.

15. Article 1395a of the Revised Statutes, as enacted by the act 62 Victoria, chapter 23, section 1, is replaced by the following:

Fishery divisions and appointment of fishery inspectors and overseers.

"1395a. The Minister, may, if he considers it expedient for the better protection of fisheries, divide the Province into fishery divisions, and may appoint fishery inspectors and overseers for each division, whose duties and functions are defined by this section, by regulations made thereunder, and by instructions from the Minister."

Id., 1395b,
replaced.

16. Article 1395b of the Revised Statutes, as enacted by the act 62 Victoria, chapter 23, section 1, is replaced by the following:

Remuneration of officers.

"1395b. The remuneration of such fishery inspectors and overseers, and of all other persons specially employed to perform any duty imposed by this section or by the regulations thereunder shall, if required, be determined by the Minister, by commission or otherwise, and, in either case, it shall be paid out of the revenue arising from the operations of this section."

CHAP. 19

An Act to amend the Quebec Game Laws

[Assented to 9th March, 1906]

HIS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

R. S., 1397,
replaced.

1. Article 1397 of the Revised Statutes, as enacted by the act 62 Victoria, chapter 24, section 1, is replaced by the following:

Transport of moose, &c., forbidden unless tag attached thereto.

"1397. 1. All railway, steamboat and other companies, and common carriers, are forbidden to transport or to have in their possession the whole or any part of any moose, caribou or deer, the flesh of such animal, the head or the green hide thereof unless there be attached thereto a tag issued by the Department of Colonization, Mines and Fisheries authorizing such transport.

Idem, after first fifteen days of prohibition.

2. All railway, steamboat and other companies and common carriers are forbidden to transport, after the first fifteen days from the date of the prohibition, any moose, caribou, deer, the whole or any part of the flesh, the head or the green hide of any such animal.

3. The two foregoing paragraphs do not apply to the transport of moose, caribou, deer, the whole or any part of the flesh, the head or green hide of any such animal if there be attached thereto an affidavit establishing that such animal has been killed in another province of the Dominion of Canada in accordance with the laws of that Province or in one of the United States of America.

Preceding paragraphs not to apply, if affidavit establishing certain facts produced.

4. Every bag, parcel or chest, every box, trunk or other receptacle used for the transport of game shall be made in such manner that the contents thereof can be seen, and the description of such contents, with the name and address of the owner, shall be set forth on a special tag to that effect.

Box, &c., to be made, so that contents may be seen, &c.

5. Any railway, steamboat or other company common carrier or any person favoring in any manner whatever the contravention of this article, shall be liable to a penalty of not less than ten dollars, and not more than twenty dollars for each infringement and the costs.

Penalty for contravention.

6. Nevertheless, it is lawful for the Minister of Colonization, Mines and Fisheries, at any time, to grant transport permits when it has been established to his satisfaction that the moose, caribou, or deer or parts thereof which it is desired to transport have been taken or killed during the time when hunting is allowed and in a lawful manner.

Transport permits may be granted by Minister.

7. For such permits or for the tags mentioned in this article there may be exacted a fee, the amount whereof shall be fixed by the Minister, according to circumstances, but which shall not exceed five dollars.

Fees for permits or tags.

2. Article 1399 of the Revised Statutes, as enacted by the act 62 Victoria, chapter 24, section 1, and amended by the acts 2 Edward VII, chapter 14, section 1, and 3 Edward VII, chapter 23, section 2, is further amended:

Id., 1399, amended.

a. By replacing paragraph 1 by the following: § 1, replaced.

"1. Any beaver at any time up to the first day of November, 1908, for Zone No. 1 and, after that date, between the first day of April and the first day of November of any year."

Beaver;

b. By replacing paragraph 3 by the following: § 3, replaced.

"3. Any hare, between the first day of February and the first day of December of any year, or any bear between the first day of July and the twentieth day of August of any year."

Hare and bear;

c. By replacing paragraph 4 by the following: § 4, replaced.

"4. Any musk rat at any time of the year except in the month of April."

Musk rat.

d. By adding thereto the following paragraph: § added.

"Every company, firm or person engaged in the fur trade

Return an-

nually to be sent to Minister by fur trading companies, when and what to contain.

who, under any of the provisions of this act, has hunted or caused to be hunted the fur-bearing animals mentioned or any species of the fur-bearing animals mentioned in this article, is obliged to send a return within the first fifteen days of May in each year to the Minister of Colonization, Mines and Fisheries, of the number and species of animals killed or bought or placed on the market in the Province of Quebec."

Id., 1400, amended.

3. Article 1400 of the Revised Statutes, as enacted by the act 62 Victoria, chapter 24, section 1, and amended by the acts 1 Edward VII, chapter 12, section 2, 2 Edward VII, chapter 14, section 2, and 3 Edward VII, chapter 23, section 3, is further amended:

§ 1^b, replaced.
Widgeon, &c.

a. By replacing clause (b) of paragraph 1 by the following:

"(b) Any widgeon, teal or wild-duck of any kind, sheldrake, loons and gulls, between the first day of March of any year and the first day of September of the same year."

§ 2, replaced.
Taking, &c. of eggs of wild fowl, &c., prohibited, &c.

b. By replacing paragraph 2 by the following:

"2. To disturb, injure, gather or take, at any time, the eggs of any species of wild fowl, and all vessels or boats employed in disturbing, gathering or taking the eggs of any species of the aforesaid wild fowl may, as well as the eggs, be confiscated and sold.

Exception for certain persons in certain parts of the Province.

Nevertheless, the inhabitants of that part of the Province comprised within Zone No. 2 as defined by this act, and those of the county of Gaspé may, for the purpose of procuring food only, at all seasons of the year, except between the first day of June and the first day of August, hunt, kill or take any of the birds mentioned in clause (b) of this article."

Id., 1400a, replaced.

4. Article 1400a of the Revised Statutes, as enacted by the act 1 Edward VII, chapter 12, section 3, and replaced by the act 3 Edward VII, chapter 23, section 4, is again replaced by the following:

Buying or selling partridge or woodcock prohibited.

"1400a. It is forbidden to buy, or to sell, expose for sale, or have in possession for the purpose of sale, any birch- or swamp-partridge or any woodcock before the first day of October, 1908.

What to constitute sale.

Every delivery of any such partridge or woodcock otherwise than as merely gratuitous, shall constitute a sale, and every acceptance of any such partridge or woodcock otherwise than as merely gratuitous, shall constitute a purchase, in the terms of this provision.

Onus of proof if partridge or woodcock is found in possession of dealer.

Whenever any such partridge or woodcock is found in the possession of any dealer or person selling or having in his possession for the purpose of selling any provisions or produce, the proof that such dealer or person does not have such partridge or woodcock in his possession with the intention of selling the

same, falls upon and is at the expense of the person in whose possession the same is so found.

Any infringement of the provisions of this article shall render the person guilty thereof liable for a first offence to a fine not exceeding \$2.00 and not less than \$1.00, and costs, for each partridge or woodcock, as the case may be; for a second offence to a fine not exceeding \$10.00 and not less than \$5.00 for each bird; for a third and subsequent offence, the same fine as for a second offence and an imprisonment of not less than thirty days or more than three months, with costs in all cases." Penalty for offence under article.

5. Article 1401 of the Revised Statutes, as enacted by the act 62 Victoria, chapter 24, section 1, is amended: Id., 1401, amended.

a. By replacing the word: "September," in the second line, by the word: "November."

b. By striking out the words: "wild-pigeons," in the eleventh line.

6. Article 1401e of the Revised Statutes, as enacted by the act 62 Victoria, chapter 24, section 1, is amended by adding the following clause thereto: Id., 1401e, amended. Prohibition respecting beaver not to apply to Zone No. 2.

"The prohibition to kill beaver at any time before the first of November, 1908, shall not apply to Zone No. 2."

7. Article 1402 of the Revised Statutes, as enacted by the act 62 Victoria, chapter 24, section 1, is amended by striking out the word: "or" in the second line and by adding after the words: "of any kind" in the second line, the words: "jack-lights or other artificial lights." Id., 1402, amended.

8. The following articles are inserted in the Revised Statutes after article 1402, as enacted by the act 62 Victoria, chapter 24, section 1: Art added after id., 1402.

"1402a. If any one is found on any part of a river or bay, where ducks, wild geese or other water-fowl rest or generally gather, in any boat or craft with a firearm or jack-light or other light of a nature to attract the said birds, or if it is proved that any person has been on any part of such river, or bay, with a jack-light or other light of a nature to attract the said birds, it shall constitute sufficient proof to obtain the conviction of the said person of having gone on the said river with the intention of killing the said birds with the aid of the said jack-light or other light of a nature to attract the said birds; and it shall be incumbent upon the said person to prove that he was there with no intention of breaking any provision of the law. Presumption if persons are found in boats, with firearms, &c., where ducks gather, &c. Onus of proof.

"1402b. Any person or persons, without any permit whatsoever, having in his possession any fishing or hunting appa- Presumption in case person is found

without
license with
hunting ap-
paratus, &c.,
in his pos-
session.

ratus prohibited by law, shall be presumed to be violating the law, and the said presumption will be sufficient to obtain the conviction of the person thus found for illegal fishing or hunting; it shall be incumbent upon the party thus found to show that he had the said apparatus for no illegal object.

Persons ac-
companying
offender
equally
guilty.

"**1402c.** Any person accompanying or assisting either as servant, partner or otherwise, another in any violation of the fishery or game laws shall be equally guilty of violating the law in the same manner as he who really accomplishes the illegal act."

Id., 1403, re-
placed.

9. Article 1403 of the Revised Statutes, as enacted by the act 62 Victoria, chapter 24, section 1, is replaced by the following:

Use of steam
or other ves-
sels prohibi-
ted.

"**1403.** It is forbidden to hunt, capture or kill ducks, wild geese or other water-fowl by means of vessels or yachts propelled by steam or other motive power."

Id., 1405,
replaced.

10. Article 1405 of the Revised Statutes, as enacted by the act 62 Victoria, chapter 24, section 1, and amended by the acts 1 Edward VII, chapter 12, section 5, and 2 Edward VII, chapter 14, section 3, is replaced by the following:

Sale, &c.,
lawful dur-
ing certain
period of
close season.

"**1405.** 1. Every animal or bird protected by the preceding articles, and the sale, exposing for sale or possession with intent to sell the same are not forbidden when lawfully taken or killed, or any portion of such animal or bird may be bought or sold from the fourth day after the opening of the hunting season and during fifteen days to be computed from the expiration of the period fixed by this section for the taking or killing thereof; and, outside the period fixed by this article, it is forbidden to sell, expose for sale or to have in one's possession for the purpose of selling, any animal or bird protected by the foregoing articles or any part thereof, except as provided in article 1417d.

Seizure of
certain ani-
mals, &c.,
killed during
close season.

2. Every inspector, every game-keeper and every special officer shall forthwith seize all animals or birds protected by the preceding articles, or any portions of such animals or birds, found by him being offered for sale or in the possession or custody or in the care of any person, (a) during the first three days after the opening of the hunting season and after the expiration of the fifteenth day after the commencement of the close season except as provided in article 1417d, or (b) which appear to have been taken or killed during such close season, or (c) which appear to have been taken or killed by some unlawful means, and shall bring them before any justice of the peace, who, if the law has been contravened, shall declare them confiscated, either in whole or in part, for the benefit of the Province, and condemn the party offering for sale or in whose possession,

Confiscation
thereof.

custody or care such animals or birds have been found, to the penalty provided in article 1410.

3. However, (a) the skin or head of any animal which has been killed when hunting is allowed and, (b) when kept alive, the birds, the hunting or shooting whereof is prohibited by article 1401, and the animals enumerated in the preceding articles, are exempt from such seizure and confiscation. Certain skins, &c., not liable to confiscation.

4. In all cases enumerated in paragraphs 2 and 3 of this article, the proof that no contravention of the law has taken place shall be upon and at the charges of the proprietor of such animals or birds or part thereof, or of the said skins, or of the person offering them for sale, or in whose possession, care or keeping such animals, birds or skins were found. Onus of proof.

5. The game-keeper is also authorized to seize any arms, the bearer whereof has been, *flagrante delicto*, caught hunting, and to keep such arms until the fine exigible in each case has been paid to those lawfully entitled thereto." Seizure of arms, &c.

11. Article 1406 of the Revised Statutes, as enacted by the Id., 1406, act 62 Victoria, chapter 24, section 1, is amended by adding the following clause thereto: amended.

"Every person who has not complied with the provisions of paragraph 4 of article 1397 is *ipso facto* presumed to be contravening the law." Presumption against certain persons.

12. Article 1407 of the Revised Statutes, as enacted by the Id., 1407, act 62 Victoria, chapter 24, section 1, is replaced by the following: replaced.

"1407. Every person found guilty of having had or having actually in his possession or keeping or under his care any articles so confiscated or liable to be so, shall in each case be condemned to a fine of not less than twenty-five dollars, but not more than fifty dollars, for the first offence; of not less than fifty dollars and not more than one hundred dollars for the second offence and, in default of immediate payment, to an imprisonment of not less than one month and not more than one year in the common gaol of the district within the limits whereof the offence was committed or the seizure or confiscation was effected, with costs in all cases. Fines for having certain articles.

Such fine shall be disposed of as provided by article 1410." Application of fine.

13. Article 1408 of the Revised Statutes, as enacted by the Id., 1408, act 62 Victoria, chapter 24, section 1, is replaced by the following: replaced.

"1408. Every inspector, every game-keeper and every special officer, if they have reason to suspect and if they suspect that game, killed or taken during the close season, or by illegal Search warrants may be obtained by

inspectors,
&c., in cer-
tain cases.

Form of de-
position.

Form of war-
rant.

Power of in-
spectors, &c.,
to enter ves-
sels, &c.,
without war-
rant, &c.

means, or peltries or skins out of season are contained or kept in any private house, shall make a deposition before a justice of the peace, in the form A of this section, and demand a search-warrant to search such private house, and thereupon such justice of the peace is bound to issue a warrant according to form B.

Every inspector, every game-keeper and every special officer is authorized to enter, without a warrant, any vessel, boat, shed, car or other construction, saving those coming within the provision of the preceding clause, to search for such game, furs, or skins, and, for that purpose, may cause to be opened, or, in case of refusal, may himself open any door giving access to any such vessel, boat, shed, car or other construction, as well as any door in the interior thereof.

Id., 1409, re-
placed.

14. Article 1409 of the Revised Statutes, as enacted by the act 62 Victoria, chapter 24, section 1, is replaced by the following:

Proceedings
after seizure
of game to
establish
condition of
articles
seized.

" 1409. Every superintendent, every game-keeper and every special officer shall, after each seizure and confiscation of peltries or skins, cause to be established, as soon as possible, by a competent person, duly sworn, the condition of the peltries or skins so seized and confiscated, and place them in a safe place, and then immediately report to the Department of Colonization, Mines and Fisheries.

Proprietor,
&c., may ap-
point person
to examine
such articles.

The proprietor of such peltries or skins so seized and confiscated, or his attorney or mandatary *ad hoc*, may, within the delays prescribed by article 1411, himself also appoint, at his own expense, a person who shall have a right to examine such peltries or skins.

Notice to be
given if pro-
prietor can-
not be found.

If the proprietor or his attorney or mandatary *ad hoc* be not present and cannot be found at the time of such seizure and confiscation, and if the value of such peltries or skins so seized and confiscated may be reasonably estimated at ten dollars at least, notice thereof shall be given twice during fifteen days, in a newspaper published in the French language, and twice in a newspaper published in the English language, in the place where such seizure and confiscation took place, or in the nearest place if no such newspapers are published in such place; the costs of such notice shall be at the expense of the proprietor or of his attorney or his mandatary *ad hoc*, if the articles be claimed, if not, they shall be paid by the Department of Colonization, Mines and Fisheries, to which, at the expiration of the said delay, the said peltries or skins, so seized and confiscated, shall belong."

Cost of notice
by whom to
be paid.

15. Article 1409a of the Revised Statutes, as enacted by Id., 1409a, the act 62 Victoria, chapter 24, section 1, is replaced by the following:

“ **1409a.** It shall be lawful for the Minister to dispose, in favor of benevolent institutions or charitable organizations, of the game seized and confiscated, and cause to be sold for the benefit of the Crown, by private sale or by auction, the skins or other articles of any value seized and confiscated.”

16. Article 1410 of the Revised Statutes, as enacted by the Id., 1410, re-act 62 Victoria, chapter 24, section 1, is replaced by the following :

“ **1410.** Every infringement of any of the provisions of this section is punishable summarily upon prosecution, which may be brought either by the inspector, game-keeper, or other officer or by any other person, before a justice of the peace having jurisdiction in the district in which the offence was committed or the seizure and confiscation effected.”

The provisions of the Criminal Code, 1892, respecting summary convictions before justices of the peace, and of articles 2713 to 2720 of these Revised Statutes, shall, unless incompatible, apply to all prosecutions brought under this section.

The fines are as follows:

For every infringement of the following articles:	Table of fines.	
Article 1396, § 1, in the case of moose per head.	\$ 50 to	\$100
Article 1396, § 1, in case of deer, 1396, § 2, and articles 1398, 1401c, and 1401d.	50 to	70
Article 1396, §§ 3 and 4.	40 to	50
Article 1396, § 5.	10 to	25
Article 1396, § 6.	100 to	200
Articles 1396, § 2 and 1401c, in the case of a female, an additional fine of.		10
Articles 1399 and 1401e.	30 to	50
Articles 1399 and 1401e, in the case of a female, an additional fine of.		10
Articles 1400 and 1401f.	10 to	25
Article 1401.	2 to	5
Articles 1402 and 1403.	5 to	20
Articles 1404 and 1404a.	25 to	50
Article 1405.	20 to	30
Articles 1415 and 1416a, double the fee for the hunting license.		
Article 1417.	5 to.	10
For every infringement for which a fine is not enacted by any article of this section, and for every infringement of a regulation made by the Lieutenant-Governor in Council.	5 to	20

Imposition and application of fines. Such justice of the peace shall, if he finds the proof sufficient, impose the fine with costs, which fine belongs one-half to the Crown and one-half to the prosecutor,

Imprisonment in default of payment. In default of immediate payment, the offender is imprisoned in the common gaol of the district within the limits of which the offence was committed or in which the seizure and confiscation were effected, for a period of not less than fifteen days and not more than three months, and in case of infringement of article 1404, for a period of not less than one month and not more than six months.

Certain cases of third and subsequent offences provided for. In the case of paragraphs 1, 2, 3, 4 and 6 of article 1396, and in the case of articles 1399 and 1401c, in the case of a third or subsequent offence, every contravention is punishable by the fines and imprisonment mentioned in this article with costs in all cases.

Conviction on view. Seizures, &c., at whose risk. Every justice of the peace has power to convict on view. Seizures, confiscations and prosecutions are at the risk of the person who caused the same to be made or carried on."

Id., 1411, amended. **17.** Article 1411 of the Revised Statutes, as enacted by the act 62 Victoria, chapter 24, section 1, is amended by inserting after the word: "district," in the fourth line, the words: "or county."

Id., 1412, replaced. **18.** Article 1412 of the Revised Statutes, as enacted by the act 62 Victoria, chapter 24, section 1, and amended by the act 3 Edward VII, chapter 23, section 5, is replaced by the following:

Prescription of prosecutions. " **1412.** No prosecution shall be brought after twelve months from the day of the commission of the offence charged."

Id. 1413, replaced. **19.** Article 1413 of the Revised Statutes, as enacted by the act 62 Victoria, chapter 24, section 1, is replaced by the following:

Appointment of game superintendent general and game inspector general. " **1413.** There shall be, for the purpose of specially insuring the execution of this section, and of all other laws respecting hunting which may in future be passed for this Province, a game superintendent general, at a salary not exceeding \$1800, and a game inspector general at a salary not exceeding \$1500, appointed by the Lieutenant-Governor in Council.

Powers of such officers. The said two officers are, for the purposes of this section, *ex officio* justices of the peace with jurisdiction over the whole Province, and they have further all the powers conferred upon inspectors, game-keepers and other special officers by the provisions of this section."

Id., 1414, replaced. **20.** Article 1414 of the Revised Statutes, as enacted by the

act 62 Victoria, chapter 24, section 1, is replaced by the following :

"1414. The Minister has also the power of appointing persons to see to the observance of this section and of any law which may hereafter be passed relating to game in this Province, and to assign to them any territory or division which he may, under the circumstances, deem advisable.

Appoint-
ment of
officers by
Minister.

These persons are called inspectors, game-keepers or special officers; and the Minister may, in certain cases, restrict, as far as they are concerned, and also as far as other officers under his control are concerned, the powers conferred upon them by this section.

Names of
officers and
their powers.

Such inspectors, game-keepers and special officers shall, before assuming office be sworn, according to Form C, before a justice of the peace."

Oath to be
taken by
them.

21. Article 1414a is inserted in the Revised Statutes, after article 1414, as enacted by the act 62 Victoria, chapter 24, section 1 :

Article ad-
ded after id.,
1414.

"1414a. No person can hunt moose, caribou or deer unless he holds a special license delivered by the Minister or by any person authorized by him.

License re-
quired to
hunt moose,
&c.

The Lieutenant-Governor in Council may establish a tariff of fees for such licenses.

Fees for
licenses.

This provision does not apply to persons domiciled in the Province who hunt the animals mentioned in this article for their subsistence and that of their families, and do not trade with such game or any part thereof. However, if such persons wish to transport or have transported any such game or part thereof, they shall provide themselves with the special license mentioned in this article."

Provision
not to apply
to certain
persons.

Proviso as to
transport of
game, &c.

22. Article 1415 of the Revised Statutes, as enacted by the act 62 Victoria, chapter 24, section 1, is replaced by the following:

Id., 1415, re-
placed.

"1415. No person, not domiciled in the Province of Quebec, can hunt therein unless he holds a special license."

License re-
quired by
strangers.

23. Article 1416a of the Revised Statutes, as enacted by the act 62 Victoria, chapter 24, section 1, is replaced by the following:

Id., 1416a,
replaced.

"1416a. In every such hunting or shooting license, mention must be made of the region for which it is granted.

What license
to contain.

Every hunting or shooting license shall be personal; it must, in order to be valid, be endorsed with the signature of the person to whom it is issued; it shall be good for the hunting or shooting

Privilege
conferred
by license.

season for which it is issued; and shall confer upon the holder thereof the right to hunt or shoot the animals and birds for which it is granted, in the manner permitted by this section.

Exhibition of license. The holder of the license shall, at all reasonable times, when required, exhibit the same to any inspector, game-keeper or other special officer, under penalty of the forfeiture of the license, without prejudice to the penalties enacted by article 1410."

Art. added after id., 1416a. **24.** Article 1416b is inserted in the Revised Statutes after article 1416a, as enacted by the act 62 Victoria, chapter 24, section 1:

Provision respecting tags and their use. " **1416b.** Tags shall be annexed to such license in accordance with the form determined by the Minister of Colonization, Mines and Fisheries, and when the holder of the license wishes to ship a moose, deer or caribou, or any part thereof, he shall, in the presence of the station agent, wharfinger or other officer in charge of the shipping place, detach the tag from his license, sign it and attach it to the moose, deer or caribou or part thereof; the station agent, wharfinger or other officer in charge of the shipping place must write the word "cancelled" across the tag and initial the same.

Penalty for not complying with article. Every person, station agent, wharfinger or other officer in charge of the shipping place, who does not comply with the provisions of this article, is liable to a penalty of not less than \$10.00 and not more than \$30.00, and costs.

Penalty for selling license, &c. Every person who sells or gives such license or any tag annexed thereto to another person, or who changes or alters the same in any way whatsoever, is liable to a penalty of not less than \$10.00 and not more than \$30.00, and the costs."

Id. 1417a, replaced. **25.** Article 1417a of the Revised Statutes, as enacted by the act 62 Victoria, chapter 24, section 1, is replaced by the following:

Erection of hunting territories. "**1417a.** From and out of the public lands remote from any settlements, it shall be lawful for the Lieutenant-Governor in Council, upon the recommendation of the Minister, to erect hunting territories, which shall in no case exceed two hundred square miles each, provided such lands are not subdivided into lots or are unfit for cultivation.

Lease of such territories. The Minister may lease, either by auction or by private agreement, any such hunting territory to one or more persons for a period not exceeding ten years, for an annual sum of not less than three dollars per square mile, agreed upon between him and the lessee or lessees, payable in advance, under pain of the forfeiture of the lease.

Stipulations in lease The Minister may insert, in any such lease, the clauses and stipulations deemed necessary in the public interest."

26. Article 1417*b* of the Revised Statutes, as enacted by the act 1 Edward VII, chapter 12, section 6, is amended: Id., 1417*b*, amended.

a. By inserting the word: "fees," after the word: "regulations", in the third and fourth lines;

b. By inserting after the word: "regulations", in the sixth line, the words: "laws and fees."

27. Article 1417*d* of the Revised Statutes, as enacted by the act 1 Edward VII, chapter 12, section 6, is amended: Id., 1417*d*, amended.

a. By inserting the following after the fourth clause:

"Every person, company, corporation or club holding a license under this article shall, within eight days after the fifteenth day from the beginning of the close season, send to the Department of Colonization, Mines and Fisheries a sworn statement in duplicate of the number and kinds of game it has in its cold storage warehouses or refrigerators." Clause added after fourth. Return to Minister by licensees.

b. By replacing the words: "every game-keeper or other person authorized", in the first line of the fifth clause thereof, by the words: "every inspector, game-keeper or other special officer authorized." Fifth clause amended.

28. Article 1418*a* is inserted in the Revised Statutes after article 1418, as enacted by the act 62 Victoria, chapter 24, section 1: Art. added after id., 1418.

"**1418*a*.** Every inspector shall, every two months, send to the Department of Colonization, Mines and Fisheries a report of his proceedings and of the proceedings of the game-keepers under his control during the previous two months, as well as of all infringements of the game laws that have come to his knowledge during the same period." Return to Minister by inspectors and what to contain

29. Article 1419 of the Revised Statutes, as enacted by the act 62 Victoria, chapter 24, section 1, is replaced by the following: Id. 1419, replaced.

"**1419.** Every game-keeper shall, every two months, forward to the Department of Colonization, Mines and Fisheries or to his district inspector a report of his proceedings during the previous two months, and of the infringements of the game laws which have come to his knowledge during the same period." Returns by game-keepers and what to contain.

30. Article 1420*b* of the Revised Statutes, as enacted by the act 3 Edward VII, chapter 23, section 6, is replaced by the following: Id., 1420*b*, replaced.

"**1420*b*.** The Minister of Colonization, Mines and Fisheries may pay, out of the revenues derived from the execution of this Bounty for killing

wolves and
how obtain-
ed.

section, a sum of fifteen dollars, to any person, being an inhabitant of the Province of Quebec, who presents to him a certificate from a justice of the peace of any judicial district establishing that such person has proved to his satisfaction, on oath, that he has killed a wolf in such district, and has shown him the wolf or the wolf's head with the scalp and ears entire, and that such justice of the peace, before granting the certificate, has caused the ears and scalp to be cut off the wolf's head and burned."

Form A of
Game Laws,
replaced.

31. Form A of the Quebec Game Laws, as enacted by the act 62 Victoria, chapter 24, section 1, is replaced by the following:

" FORM A.

"I, _____, undersigned, inspector, (game-keeper, or special officer authorized by the Minister of Colonization, Mines and Fisheries, *as the case may be*) for

_____, do hereby declare that I have reason to suspect and I do suspect that (*game, killed or taken, during the close season, or furs, peltries or skins, out of season, &c., &c., as the case may be*) is (*or are*) at present held and concealed (*describe the property, occupant, and the place, &c.*)

Wherefore I pray that a warrant may be granted and given to me to effect the necessary searches in (*describe here the property, &c., as above*).

Sworn before me, at
this _____ day of _____ 19____
L. B.,
J. P.

(*Signature*), X. Y.,
Inspector, (game-keeper or
special officer author-
ized by the Minister of
Colonization, Mines and
Fisheries, *as the case
maybe*)."

Form B of
Game Laws,
replaced.

32. Form B of the Quebec Game Laws, as enacted by the act 62 Victoria, chapter 24, section 1, is replaced by the following:

" FORM B.

"Province of Quebec, }
County of _____ }

To each and every the constables of
county of _____

Whereas _____, inspector, (game-keeper or special officer authorized by the Minister of Colonization, Mines and Fisheries, *as the case may be*) for

_____, has this day solemnly declared before me, the

undersigned, that he has reason to suspect and does suspect that (*game, killed or taken, during the close season, or furs, peltries or skins, out of season, &c., as the case may be*) is (or are), at present held and concealed (*describe the property, occupant and the place, &c.*)

Therefore, you are commanded by these presents, in the name of His Majesty, to assist the said

inspector, (*game-keeper or special officer authorized by the Minister of Colonization, Mines and Fisheries, as the case may be*) and to diligently help him to make the necessary searches to find the (*state the game taken or killed during the close season, or furs or skins or peltries out of season, &c.*) which he has reason to suspect and does suspect to be held and concealed in (*describe the property, &c., as above*), and to deliver, if need there be, the said (*game, &c., as the case may be*) to the said

, inspector, (*game-keeper, or special officer authorized by the Minister of Colonization, Mines and Fisheries, as the case may be*) to be by him brought before me or before any other magistrate, to be dealt with according to law.

Given under my hand and seal, at _____, county of _____,
this _____ day of _____ 19 _____.

L. B.,
J. P."

[L. S.]

33. Form C of the Quebec Game Laws, as enacted by the act 62 Victoria, chapter 24, section 1, is replaced by the following: Form C. of
Game Laws,
replaced.

" FORM C.

OATH OF INSPECTOR (GAME-KEEPER OR SPECIAL OFFICER, *as the case may be*)

" I, the undersigned inspector, (*game-keeper or special officer authorized by the Minister of Colonization, Mines and Fisheries, as the case may be*) for _____, do swear that I will perform the duties of my office faithfully and to the best of my ability, in accordance with the game laws and regulations in force in this Province. So help me God.

Sworn before me, at	}	(Signature) X. B., Inspector, (<i>game-keeper or special officer</i>).''
this _____ day of _____, 19 _____.		
(Signature)		
A. B., J. P.		

CHAP. 20

An Act respecting stock-breeding syndicates

[Assented to 9th March, 1906]

Preamble.

WHEREAS it is expedient to regularize the formation and organization of stock-breeding syndicates in this Province; Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

Arts. added
after R.S.
1675ddd.

1. The following section and articles are inserted in the Revised Statutes after article 1675ddd, as enacted by the act 57 Victoria, chapter 19, section 2 :

SECTION VC

STOCK-BREEDING SYNDICATES

Formation
authorized.

" 1675eee. Societies may be formed, in virtue of this section, under the name of: " stock-breeding syndicates."

Nature of
syndicate
and liability
of shareholders,
&c.

" 1675fff. Every syndicate shall be in the nature of a joint stock company, the liability of its members or shareholders being limited to the amount of their respective shares.

Name of
syndicate.

" 1675ggg. The syndicate is designated under the name of " The Stock-Breeding Syndicate," inserting therein the distinctive title its founders may select, provided that, on the whole, its name cannot be confounded with that of any other existing society.

Object of
syndicate.

" 1675hhh. The object of the syndicate is the breeding and improvement of farm stock; it may purchase, breed and sell thoroughbred stock, and purchase all products and implements connected with the breeding, feeding and hygiene of live stock.

Certain
clubs, &c.,
may take
shares.

" 1675iii. Farmers' clubs and agricultural societies may, with the permission of the Minister of Agriculture, take shares in such syndicate.

Number re-
quired to
form syndi-
cate.
Shares and
how payable.

" 1675jjj. At least ten associates are required to form a syndicate under this section.

" 1675kkk. The amount of each share is ten dollars, payable in yearly instalments of two dollars, the first on the day when the shareholder's name is registered and the others from

year to year on the same date. Any shareholder may pay the full amount of his shares in advance.

“ **1675lll.** The capital of a syndicate is variable.

Capital.

“ **1675mmm.** The shares are in the name of the shareholder and are transferable on fulfilment of the formalities prescribed by the by-laws of the syndicate.”

Shares and their transfer.

“ **1675nnn.** The syndicate is constituted by a declaration in accordance with form A of this section, signed in duplicate by the founders in the presence of two witnesses. One of the duplicates is transmitted to the Minister of Agriculture who, if he deem advisable to authorize the formation of such syndicate, causes to be published without delay in the *Quebec Official Gazette* a notice, according to form B of this section, of the formation of such syndicate; and a notice drawn up according to form C of this section is at once sent to the prothonotary of the district and to the registrar of the registration division wherein the syndicate is formed.

Declaration to form syndicate, how signed, &c.

Deposit of duplicate, &c.

“ **1675ooo.** The syndicate consists of the persons who have signed the declaration mentioned in article 1675nnn and of all those who may afterwards take shares in such syndicate.

Who form part of syndicate.

“ **1675ppp.** From and after the publication of the aforesaid notice in the *Quebec Official Gazette*, the syndicate becomes a corporate body under the name given to it in such notice.

When syndicate becomes incorporated.

The Minister may, with the consent of the board of directors, change the name of the syndicate by a notice published in the *Quebec Official Gazette*.

Change of name.

The syndicate is empowered to acquire and hold lands which it may sell, lease or otherwise dispose of; but it cannot hold more than five hundred acres at a time.

Power to acquire, &c., lands.

“ **1675qqq.** Any syndicate may have registered thoroughbred stock belonging to it sold by auction or otherwise by any person, whether licensed or not, and without payment of the duties levied by law in similar circumstances, and on such conditions as may be determined by the board of directors.

Sale of stock by syndicate

“ **1675rrr.** The syndicate can keep, for breeding purposes, only registered thoroughbred stock, free from hereditary defects

What kind of stock to be kept by syndicate.

“ **1675sss.** The syndicate may receive premiums from agricultural societies and farmers' clubs for the use of breeding

Premiums for breeding stock, &c.

stock on conditions to be determined in writing by the boards of directors of such various corporations.

Management of affairs.	" 1675^{ttt} . The affairs of the syndicate are managed by a board of management consisting of five directors.
Quorum of board.	Three of them shall constitute a quorum.
Term of office of directors, &c.	The directors hold office during the year immediately following the annual meeting and until the election of their successors. They are re-eligible.
Meetings when held.	They hold their meetings according to adjournment or to the notice of convocation given to them in writing by order of the president or, in his absence, of the vice-president or of two members of the board of management, three days at least before the day fixed for the holding of such meetings. Such notice may be given by registered letter addressed to each director and deposited in the post-office of the locality where the place of business of the syndicate is situated, at least three days before the meetings.
Notice.	
Powers of board.	The directors have full power, at any meeting, to pass by-laws for the government of the syndicate and to amend and repeal the same, provided such by-laws do not conflict with those adopted at the general meetings of the shareholders of the syndicate.
Powers of board to pass certain regulations.	" 1675^{uuu} . 1. In accordance with the provisions of this section and of the by-laws of the syndicate, the board of management deliberates, transacts and enacts on all things connected with the interests of the syndicate and, in particular, it may: <ol style="list-style-type: none"> Determine the particular conditions of every contract, taking special care that the interests of the syndicate be protected; Borrow money; Acquire moveables, live stock and immoveables and re-sell the same; Authorize all legal and judicial proceedings.
Limit of borrowing power.	2. The total amount of the sums borrowed by a syndicate shall never exceed the amount of the subscribed shares.
President, &c., of board.	" 1675^{vvv} . The board of management chooses a president and vice-president among its members annually, at the first meeting following the annual general meeting.
President, &c., of syndicate.	The president and vice-president of the board of management are, at the same time, president and vice-president of the syndicate.
Secretary-treasurer and auditor.	The board of management appoints a secretary-treasurer and an auditor and fixes their remuneration.

" **1675xxx.** The president or, in his default, the vice-president of an agricultural society or farmers' club holding shares in the syndicate, may represent such associations at the general meetings of the shareholders of the syndicate and vote in the name of the associations respectively represented by them. President of certain clubs, &c., may act in meetings of syndicate board.

" **1675yyy.** The services of the members of the board of management are gratuitous. Services gratuitous.

" **1675zzz.** In the event of a vacancy in the board of management, the remaining members shall elect a director to fill such vacancy for the remainder of the term. Vacancies in board.

" **1675aaaa.** Any director of a farmers' club or of an agricultural society holding shares in the syndicate may be appointed a director of the syndicate, and may continue to hold office as such until the election of his successor, even if he cease to be a director of such farmers' club or agricultural society. Director of club, &c. may be director of syndicate.

" **1675bbbb.** 1. The general meeting, consists of all the shareholders. Composition of general meeting.

A general meeting shall be held every year on the second Wednesday of January, at ten o'clock in the forenoon at a place to be indicated by the directors. When and where to be held.

The first meeting may be convened at any time by two shareholders, by depositing in the post-office of the locality where the syndicate's place of business is situated, a notice in a sealed and registered envelope addressed to each shareholder, at least eight days before the said meeting. First meeting how convened.

2. General meetings shall afterwards be called by the president or, in his default, by the vice-president, by means of a notice contained in a registered letter addressed to each shareholder and sent at least eight days beforehand. Calling of general meetings.

" **1675cccc.** The decisions of the general meeting are given by the majority of votes; when the votes are equally divided the president has a casting vote. Shareholders have one vote for every share they possess. Decisions of meetings.

The general meeting may pass by-laws for the general management of the syndicate and all other by-laws that may be necessary, provided such by-laws are not contrary to the laws of this Province. Powers of general meeting.

" **1675dddd.** The accounts of the syndicate are kept by the secretary-treasurer under the control of the board of management and are audited by the auditor. Accounts and their auditing.

When to be closed. The accounts of the syndicate are closed every year on the thirty-first of December.

Statement to be drawn up of January, a statement of the syndicate's affairs is drawn up respecting accounts, &c. in duplicate by the secretary-treasurer, duly attested, and one of the duplicates is transmitted to the Minister of Agriculture.

Contents of statement and approval by auditor. " 1675eeee. Such statement shall be approved by the auditor and contain:

a. The list of the associates on the thirty-first of December, the number of shares subscribed and the amount paid by each shareholder;

b. A summary statement of the assets and liabilities of the syndicate;

c. A statement of the year's operations, with an indication of the profits and losses;

d. All other information required for the purpose by the by-laws of the syndicate.

Determination of profits. " 1675ffff. The general meeting, taking such statement as a basis, determines the amount of the profits which it shall allot.

Reserve fund, &c. The syndicate may have a reserve fund equal to the subscribed capital. So long as the syndicate does not have such reserve fund, the total amount of dividends allotted yearly shall not exceed six per cent. on the paid up capital.

Signature to contracts, &c. " 1675gggg. All contracts, notes, cheques, orders or documents binding the syndicate shall be signed by the president or vice-president and by the secretary-treasurer duly authorized by the board of management.

Exemption from taxes. " 1675hhhh. The property of the syndicate is exempt from all government taxes.

Dissolution of syndicate and liquidation. " 1675iiii. If a syndicate cease for two years to own stock for breeding purposes and to comply with the requirements of this section, the Minister of Agriculture may, on application of the board of management, declare it dissolved, realize its property, use the proceeds to pay the debts of the syndicate, and divide the balance of the assets over the liabilities between the associates in proportion to the shares subscribed and paid up.

Responsibility and security of secretary-treasurer. " 1675jjjj. The secretary-treasurer of every syndicate is responsible to the syndicate for all the moneys received by him as such, and he shall give security to the amount fixed by

FORM B

NOTICE OF THE FORMATION OF A STOCK-BREEDING SYNDICATE PUBLISHED IN THE *QUEBEC OFFICIAL GAZETTE*.*(Mentioned in art. 1675nnn)*

Notice is hereby given that a stock-breeding syndicate has been formed in the county of _____ (or as the case may be) under the name of "The _____ Stock-breeding Syndicate."

Minister of Agriculture.

FORM C

NOTICE TO THE PROTHONOTARY AND TO THE REGISTRAR

(Mentioned in art. 1675nnn)

Notice is hereby given that a stock-breeding syndicate has been formed in the county of _____ (or as the case may be) under the name of "The _____ Stock-breeding Syndicate," the principal place of business whereof is in the parish of _____

Secretary.

FORM D

SECURITY-BOND OF SECRETARY-TREASURER

(Mentioned in article 1675jjjj)

Province of Quebec }

We, _____ residing in the _____ of _____ and _____ residing in the _____ of _____, bondsmen of _____ secretary-treasurer of The _____ Stock-breeding Syndicate, respectively acknowledge ourselves to be indebted to The _____ Stock-breeding Syndicate, hereof accepting through its president and vice-president, in the sum of _____ dollars for the use and profit of the said syndicate.

And by these presents we do bind ourselves, jointly and severally, our heirs and successors, one of us for the whole, without division or discussion, to the faithful and complete payment of the above mentioned sum in accordance with article 1675jjjj of the Revised Statutes.

The present bail-bond is made subject to the following conditions, viz:

In case the said _____ should well and truly fulfill all the duties and obligations imposed on him in his capacity of secretary-treasurer of The Stock-breeding Syndicate, in the county of _____ and should apply the moneys in his hands for the purposes and in the manner indicated by the board of management of the syndicate and according to law, and should render a faithful and honest account of the said moneys and of his operations as such secretary-treasurer—then and in such case the present bail-bond shall be void and of no effect; but, in the contrary case, it shall remain valid and binding for the purposes of article 1675jjjj of the Revised Statutes.

Done and signed, at _____, this _____, one thousand
day of the month of _____,
nine hundred and _____
Bondsman.

Accepted by _____ Bondsman.
The _____ President of
Stock-breeding Syndicate.
The _____ Vice-President of
Stock-breeding Syndicate.

CHAP. 21

An Act to amend the law respecting the protection of settlers
and the establishment of Homesteads

[Assented to 9th March, 1906]

HIS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

1. Article 1744 of the Revised Statutes, as enacted by the R. S., 1744, act 60 Victoria, chapter 27, section 1, is amended by adding amended. thereto the following clause:

"The owner of the Homestead may, however, under the Homestead same conditions and upon observing the same formalities as may be hypothecated, &c. for its alienation, hypothecate it and thereby render it subject to seizure and sale."

2. This act shall come into force on the day of its sanction Coming into force.

CHAP. 22

An Act to amend the law respecting the Dairy Association of the Province of Quebec

[Assented to 9th March, 1906]

HIS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

R. S., 1750 and 1751, replaced. **1.** Articles 1750 and 1751 of the Revised Statutes are replaced by the following:

Composition of association and declaration to be signed by members. **" 1750.** The association shall be composed of at least fifty persons, who shall sign a declaration in the form of the schedule annexed to this section; and every member of the association shall subscribe and pay, annually, a sum of at least one dollar to the funds of the association.

Ex officio members. The Minister and the Deputy Minister of Agriculture are *ex officio* members of the association.

How declaration for that purpose is to be made. **" 1751.** Such declaration shall be made in duplicate, one to be written and signed on the first pages of a book to be kept by the association for the purpose of entering therein the minutes of their proceedings during the first year of the establishment of such association, and the other shall be immediately transmitted to the Minister of Agriculture, who, as soon as possible after its reception, causes to be published a notice of the formation of such association in the *Quebec Official Gazette*."

Id., 1753, replaced. **2.** Article 1753 of the Revised Statutes is replaced by the following:

Power of association to make by-laws for certain purposes. **" 1753.** The association shall have power to make regulations to prescribe the mode or manner of admission of new members, to regulate the election of its directors, and the engagement of the secretary-treasurer and other officers and employees of the said association, and, generally, the administration of its affairs and property."

Id., 1753a, amended. **3.** Article 1753a of the Revised Statutes, as enacted by the act 54 Victoria, chapter 20, section 1, and amended by the act 63 Victoria, chapter 16, section 1, is further amended, by adding thereto the following clause:

Premiums of encouragement. **" It is lawful for the Minister of Agriculture to allow, in addition, to each syndicate inspector a premium of encouragement varying from twenty-five dollars to one hundred dollars."**

4. Article 1753b of the Revised Statutes, as enacted by the Id., 1753b, act 54 Victoria, chapter 20, section 1, is replaced by the following:

" 1753b. The inspectors, including the inspectors general and their assistants, are appointed by the Lieutenant-Governor in Council, and shall be experts who hold certificates of competence from the board of examiners mentioned in article 1753d. Appointment and qualification of inspector.

Their duties are to superintend the production and supply of milk, as well as the manufacture of butter and cheese in the establishments so organized into such syndicates, the whole in conformity with the regulations made by the said association and approved by the Lieutenant-Governor in Council. Their duties.

The Lieutenant-Governor in Council may, at any time, repeal or amend such regulations. Repeal, &c., of regulations.

5. Article 1753c of the Revised Statutes, as enacted by the Id., 1753c, act 54 Victoria, chapter 20, section 1, is replaced by the following:

" 1753c. The salary of the inspectors general and of their assistants is paid by the association. Salary of inspectors by whom paid.

Their duties are defined by regulations to be passed by the association and approved by the Lieutenant-Governor in Council. Their duties.

The Lieutenant-Governor in Council may, at any time, repeal or amend such regulations. Repeal, &c., of regulations.

6. Article 1753d of the Revised Statutes, as enacted by the Id., 1753d, act 54 Victoria, chapter 20, section 1, is amended by adding thereto the following clause:

" The Lieutenant-Governor in Council may, at any time, repeal or amend such regulations. Repeal, &c., of regulations.

7. Article 1753e of the Revised Statutes, as enacted by the Id., 1753e, act 54 Victoria, chapter 20, section 1, is replaced by the following:

" 1753e. It is lawful for the Lieutenant-Governor in Council to grant to the association the sum necessary for its management and the general supervision of the syndicates, comprising the salaries of the inspectors general and their assistants, as well as for the maintenance and working of the board of examiners above mentioned; provided that the said sum shall not exceed eight thousand dollars yearly. Annual grant to the association for certain purposes.

To obtain such grant, the association and the inspectors are obliged to fulfil the conditions which the Lieutenant-Governor in Council may impose, and to comply with the regulations which he may make respecting the same. Conditions under which grant to be obtained.

Id., 1754,
amended.

Election of
president,
&c.

Composition
of board.

Ex officio
members.

Appoint-
ment of
secretary-
treasurer
and other
officers, &c.

Id., 1755,
amended.

Copy for
Minister.

Schedule re-
placed.

8. Article 1754 of the Revised Statutes is amended by replacing the second clause by the following;

"At such annual meeting the members of the association having a right to vote and present at the convention, elect a president and a vice-president, and for each of the regional divisions a director, and in addition a director to represent on the board of directors the butter and cheese export trade at Montreal. The directors are chosen from the members of the association, whether domiciled or not in these divisions, preference however to be given to the members residing therein.

The president, vice-president and directors so elected constitute the board of directors of the dairy association.

The Minister and Deputy Minister of Agriculture are *ex officio* members of the board of directors.

The board of directors is bound, at its first meeting, which should be held on the day of the election, to appoint a secretary-treasurer, as well as such other officers or employees which it shall deem necessary to attain the ends of the dairy association."

9. Article 1755 of the Revised Statutes is amended by adding thereto the following clause:

"A copy of the report is transmitted to the Minister of Agriculture."

10. The Schedule to section thirteenth of chapter seventh of title fourth of the Revised Statutes, is replaced by the following:

" SCHEDULE

MENTIONED IN ARTICLE 1750

We, the undersigned, agree to form ourselves into an association under the provisions of section thirteenth of chapter seventh of title fourth of the Revised Statutes of the Province of Quebec, respecting the Dairy Association of the Province of Quebec; and we hereby, severally, agree to pay to the treasurer of the association, annually, while we continue members of the association, the sums opposite to our respective names, and

we further agree to conform to the rules and by-laws of the said association.

NAMES	\$	CTS.
		"

11. This act shall come into force on the day of its sanction. Coming into force.

CHAP. 23

An Act to amend the Education Act

[Assented to 9th March, 1906]

HIS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

1. Article 47 of the act 62 Victoria, chapter 28, is amended by adding, after paragraph 1 thereof, the following clause:

"The Lieutenant-Governor in Council may, in addition, add to the said committee four officers of instruction, of whom two priests, being principals of normal schools in this Province, and two laymen, officers of primary instruction; such appointment being made for a term not exceeding three years."

62 V., c. 28,
art. 47,
amended.
Four additional
members
may be appointed to
Catholic
Committee.

2. Article 78 of the said act is amended by replacing paragraph 2 thereof by the following:

"2. To have obtained a diploma for an academy."

Id., 78,
amended.
Diploma re-
quired.

3. Article 84 of the said act is amended by replacing the last clause thereof by the following:

"Such Boards may issue diplomas valid for the schools under the control of the Committee which recommended their appointment, and in accordance with the regulations of each Committee."

Id., 84,
amended.

Issue of
diplomas and
validity
thereof.

Id., 266,
amended.

4. Article 266 of the said act is amended by replacing all the words after the words: "interested parties," in the fourth line, by the words: "the lot and school house shall be sold by auction and the price of the sale shall be divided between each of the parties in the manner provided in article 264 of this act."

Id., 458, re-
placed.
Diplomas
granted by
normal
schools and
the Superin-
tendent of
Public In-
struction.

5. Article 458 of the said act is replaced by the following: "

" **458.** The normal school grants diplomas for elementary schools, model schools and academies, and the Superintendent of Public Instruction shall grant a diploma of qualification to any pupil of a normal school who has obtained from the principal thereof a certificate establishing that such pupil has successfully followed a regular course of studies therein in accordance with the regulations of the Roman Catholic or Protestant Committee, as the case may be."

Id., 493,
amended.

6. Article 493 of the said act is amended by adding thereto the following clause:

Age for dis-
continuing
teaching and
receiving
pensions.

"Such person may however discontinue teaching at the age of fifty years, but he cannot begin to receive his pension until the age of fifty-six years."

Id., 496,
amended.

7. Article 496 of the said act, as amended by the act 3 Edward VII, chapter 15, section 1, is again amended by adding thereto the following clause:

Reimburse-
ment to heirs
of deceased
officer.

"In case of the officer's death during the said term from ten to twenty years of service, the reimbursement shall be made to the legal heirs of the deceased."

Id., 513,
amended.

8. Article 513 of the act 62 Victoria, chapter 28, is amended by adding the following clause to paragraph 1 thereof: "except professors of music, drawing or other specialties of that nature."

Id., 520,
amended.

9. Article 520 of the said act is amended by striking out the words: "half-yearly," in the second line of the first clause, and the words: "semi-annual" in the first line of the second clause."

Coming into
force.

10. This act shall come into force on the day of its sanction.

CHAP. 24

An Act to amend the law respecting the Superior Court

[Assented to 9th March, 1906]

HIS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

1. Article 2320 of the Revised Statutes, as amended by the R.S., 2320, acts 53 Victoria, chapter 32, section 1, and 55-56 Victoria, ^{amended.} chapter 25, section 2, is further amended by adding thereto the following paragraph:

" 5. One of the judges of the districts from which appeals and Judge in out-
reviews are taken to the city of Quebec, may be called upon, ^{side districts}
by competent authority, to exercise his ordinary functions in ^{may be called}
the district of Quebec, when such functions are not required in ^{upon to act}
his district, and the residence of such judge shall be in the city of ^{in Quebec,}
Quebec." ^{&c.}

2. This act shall come into force on the day of its sanction. ^{Coming into}
^{force.}

CHAP. 25

An Act respecting the terms and sittings of the Circuit Court in the District of Chicoutimi

[Assented to 9th March, 1906]

WHEREAS the district of Chicoutimi and the county of Lake Preamble.

St. John, which forms part thereof, are very extensive, and the means of communication between the two divisions of the county of Lake St. John are more difficult than those between Lake St. John and the *chef-lieu* of the district;

Whereas under the act 4 Edward VII, chapter 20, the municipal council of the town of Roberval procured in the said town a building with apartments suitable for a court room and for the judges and officers of the Superior Court;

Whereas it would be of advantage to suitors of the county of Lake St. John if the Circuit Court of the district of Chicoutimi and the judges of that court were to hold terms and sittings of the court and exercise their functions therein;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

Issue of
proclamation
to hold Cir-
cuit Court at
Roberval.

1. It shall be lawful for the Lieutenant-Governor in Council, by proclamation, to ordain that, from and after the date therein mentioned, terms and sittings of the Circuit Court and of the judges of that court shall be held in the town of Roberval, in the same building as the Superior Court.

Terms, &c.,
of Circuit
Court shall
thereafter be
held at
Roberval for
certain cases.

2. From and after the date fixed in the said proclamation, terms and sittings of the Circuit Court of the district of Chicoutimi shall be held in the town of Roberval for all causes of the district of Chicoutimi, within the jurisdiction of the said court, in which the right of action arose in the county of Lake St. John, or when the parties reside in the said county, unless the parties consent to the cause or any incident thereof being tried, heard and determined at Chicoutimi.

Where case
heard if one
of parties re-
sides in Chi-
coutimi and
the other at
Lake St.
John.

3. Whenever one of the parties to a cause shall reside in the county of Chicoutimi and the other party in the county of Lake St. John, the court may in its discretion direct that the cause or any incident thereof shall be tried, heard and determined at Chicoutimi or at Roberval, or that the trial shall be held partly at Chicoutimi and partly at Roberval.

Powers
which judge
and clerk
may exercise
at Roberval.

4. All the powers and attributions which belong to the judge in chambers and which may be exercised by him or by the clerk of the Circuit Court of the district, may be exercised at Roberval as well as at Chicoutimi for the affairs which concern the county of Lake St. John.

Coming into
force.

5. This act shall come into force on the day of its sanction.

CHAP. 26

An Act to amend the law respecting the Bar

[Assented to 9th March, 1906]

HIS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

R.S., 3565,
amended.

1. Article 3565 of the Revised Statutes is amended by adding thereto the following clause:

Certain sums
not exigible
in certain
cases.

"If, however, such advocate does not deem it expedient to obtain such certificate, none of the sums mentioned in this article and in article 3564 are exigible from him."

Coming into
force.

2. This act shall come into force on the day of its sanction.

CHAP. 27

An Act to amend the Cities and Towns' Act, 1903

[Assented to 9th March, 1906]

HIS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

1. Paragraph 1 of article 14 of the act 3 Edward VII, chapter 38, is amended by replacing the figures: "2,000", in the third line thereof, by the words: "fifteen hundred".

3 Ed. VII, c. 38, art. 14, § 1, amended.

2. This act shall come into force on the day of its sanction.

Coming into force.

CHAP. 28

An Act to amend the Cities and Towns' Act, 1903, respecting returns to the Provincial Secretary

[Assented to 9th March, 1906]

HIS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

1. The following article is added to the act 3 Edward VII, chapter 38, after article 89:

Art. added after 3 Ed. VII, c. 38,

"89a. The clerk of the council, who neglects or refuses to comply with the provisions of article 89 and furnish all the information set forth in the forms prescribed by the Lieutenant-Governor in Council or by the Provincial Secretary, if such forms have been addressed to him by the Provincial Secretary in the month of December preceding, is liable to a fine of not less than fifty dollars and not more than two hundred dollars, in addition to costs."

Penalty on clerk neglecting, &c., to furnish returns to Provincial Secretary.

2. This act shall come into force on the day of its sanction.

Coming into force.

CHAP. 29

An Act to repeal the act amending article 4691 of the Revised Statutes

[Assented to 9th March, 1906]

HIS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

4 Ed. VII, c.
32, repealed.

1. The act 4 Edward VII, chapter 32, is repealed.

CHAP. 30

An Act to amend section second of chapter third of title eleventh of the Revised Statutes.

[Assented to 9th March, 1906]

HIS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

Form A to section 2 of chapter 3 of title 11 of R.S., amended.

1. Form A of section second of chapter third of title eleventh of the Revised Statutes is amended by adding, after the words: "dollars each," in the tenth line, the words: "Its principal place of business in the Province of Quebec shall be at (*name of town, &c.*)"

CHAP. 31

An Act to amend the law respecting Joint Stock Companies

[Assented to 9th March, 1906]

HIS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

1. Article 4663 of the Revised Statutes is amended:
 - a. By inserting, after paragraph 14, the words: "and the place where its chief place of business shall be." R. S., 4663, amended: § 14, amended;
 - b. By adding thereto the following clause: Clause added.
 "Every by-law for the purpose of changing the company's chief place of business shall be published in the *Quebec Official Gazette*, and a certified copy thereof, under the seal of the company, shall be, accordingly, forwarded to the Provincial Secretary without delay. Publication of by-law changing company's chief place of business.
2. Article 4713a of the Revised Statutes, as enacted by the act 58 Victoria, chapter 37, section 2, is repealed. Id., 4713a, repealed.
3. Article 4717 of the Revised Statutes is amended:
 - a. By inserting, after paragraph 14, the words: "and the place where its chief place of business shall be." Id., 4717, amended. § 14 amended.
 - b. By adding thereto the following clause: Clause added.
 "Every by-law for the purpose of changing the company's chief place of business shall be published in the *Quebec Official Gazette*, and a certified copy thereof, under the seal of the company, shall, accordingly, be forwarded to the Provincial Secretary without delay." Publication of by-law changing company's chief place of business.

CHAP. 32

An Act to amend the law respecting railways

[Assented to 9th March, 1906]

HIS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

1. The first paragraph of article 5172 of the Revised Statutes, R. S., 5172, as amended by the act 4 Edward VII, chapter 35, section 12, amended.

paragraph (a), is further amended by adding after the first clause the following:

Approval of
tariff by-
laws.
How appro-
val given.

" All such by-laws shall be submitted to and approved by the Railway Committee.

The Railway Committee may approve such by-laws in whole or in part, or may change, alter or vary any of the provisions therein.

Tolls not to
be collected
until by-law
approved.

No tolls shall be charged by the company until a by-law authorizing the preparation and issue of tariffs of such tolls has been approved by the Railway Committee, nor shall the company charge, levy or collect any money for any services as a common carrier, except under the provisions of this section.

How tariff of
tolls to be
made.

Such tolls may be either for the whole or for any particular portions of the railway; but all such tolls shall always, under substantially similar circumstances and conditions be charged equally to all persons, and at the same rate, whether by weight, mileage or otherwise, in respect of all traffic of the same description and carried in or upon a like kind of cars, passing over the same portion of the line of railway; and no reduction or advance in any such tolls shall be made, either directly or indirectly, in favor of or against any particular person or company travelling upon or using the railway.

Tariff of rates
for long dis-
tances.

The tolls for larger quantities, greater numbers, or longer distances may be proportionately less than the tolls for smaller quantities or numbers or shorter distances, if such tolls are under substantially similar circumstances charged equally to all persons.

Discrimina-
tion not
allowed.

No toll shall be charged which unjustly discriminates between different localities. The Railway Committee shall not approve or allow any toll, which for the like description of goods or for passengers, carried under substantially similar circumstances and conditions in the same direction over the same line, is greater for a shorter than for a longer distance, the shorter being included in the longer distance, unless the Railway Committee is satisfied that, owing to competition, it is expedient to allow such toll. The Railway Committee may declare that any places are competitive points within the meaning of this section.

Refusal of
approval in
such case.

No company shall, except in accordance with the provisions of this section, directly or indirectly, pool its freights or tolls with the freights or tolls of any other railway company or common carrier, nor divide its earnings or any portion thereof with any other railway company or common carrier, nor enter into any contract, agreement, arrangement or combination to effect or which may effect any such result, without leave therefor having been obtained from the Railway Committee."

Id., 5172, § 6,
repealed.

2. Paragraph 6 of the said article 5172 of the Revised Statutes is repealed.

3. The following article is inserted in the Revised Statutes after article 5172:

" 5172a. The company, or any director or officer thereof, or any receiver, trustee, lessee, agent or person, acting for or employed by the company, who, alone or with any other company or person, shall wilfully do or cause to be done, or shall willingly suffer to be done any act, matter or thing, contrary to the provisions of the law respecting railways, or to any order, direction, decision or regulation of the Railway Committee made or given under the said law in respect of tolls, or who shall aid or abet therein, or shall wilfully omit or fail to do any act, matter or thing thereby required to be done, or shall cause or willingly suffer or permit any act, matter or thing so directed or required thereby to be done, not to be so done, or shall aid or abet any omission or failure, or shall be guilty of any infraction of any such order, direction, decision or regulation, or any of such provisions of the said law, or shall aid or abet therein, shall for each offence be liable to a penalty of not more than one thousand dollars, nor less than one hundred dollars."

Art. added after id., 5172.

Penalty for breach of law and regulations respecting tariff of tolls, &c.

4. This act shall come into force on the day of its sanction.

Coming into force.

CHAP. 33

An Act respecting cooperative syndicates

[Assented to 9th March, 1906]

WHEREAS it is advisable to regularize the formation and organization of cooperative societies among the labouring classes of this Province;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

1. Cooperative syndicates for consumption, production and credit may be formed at any place in the Province under this act.

Certain syndicates may be formed.

The by-laws shall define the limits of the territory within which the association shall operate and which shall, in no case, exceed the limits of a provincial electoral district.

Limits of territory of associations.

2. Such a syndicate or association shall be of the nature of a joint stock company, the responsibility of its members or shareholders being limited to the amount of their respective shares.

Nature of association.

- Name of association.** **3.** The association shall be designated under such name as its founders may choose, provided mention be also made therein that it is founded under this act, and provided that, on the whole, such name cannot be confounded with that of any other existing association.
- Who may form.** **4.** Such association shall be formed by persons who are capable of contracting and who are domiciled within the limits of the syndicate.
- Object of association.** **5.** The object of the association is to study, protect and defend the economic interests of the labouring classes. For that purpose it may buy for resale to the associates only, such articles as are necessary for the support of life or for the works of their industry; open up credits for them and make loans to them; establish works in common for the associates or allow them to devote themselves to processes of production and selling the products thereof, either collectively or individually.
- Certain clubs, &c., may subscribe for shares.** **6.** Farmers' clubs and agricultural societies may take shares in such syndicates with the permission of the Minister of Agriculture. School commissioners, and municipalities of cities, towns, villages, parishes and townships are authorized to take such shares.
- Number required to form an association.** **7.** At least twelve associates are required to constitute a co-operative association under this act.
- Amount of shares how fixed.** **8.** The amount of each share in the association shall be fixed by the by-laws, but shall not be less than one dollar.
- Capital of association, &c.** **9.** The capital of the association may vary; it may be increased by successive payments and by the subscribing of new shares by the associates or the admission of new associates, and it may be reduced by the total or partial withdrawal of the amounts contributed; provided, however, that the capital shall never be reduced below the amount established when the association was founded.
- Transfer of shares, &c.** **10.** The shares shall be to order, and can only be transferred in accordance with the by-laws of the association.
- Association how constituted.** **11.** The association shall be constituted by means of a declaration in conformity with the schedule of this act, signed in duplicate by the founders in the presence of two witnesses.
- Deposit of duplicate declarations.** One of such duplicates shall remain in the archives of the association and the other shall be transmitted without delay to the clerk or secretary-treasurer of the municipal council having

jurisdiction in the municipality wherein the head office of the association shall be situated; which clerk or secretary-treasurer shall deliver an authentic copy thereof to any person applying for the same, the whole on payment of his usual fees.

This act shall apply to existing associations, and shall confirm their statutes, by-laws, acts and operations since their organization in so far as they are not incompatible therewith, provided their principal administrative body or board of management adopts a resolution to that effect, a copy whereof shall be deposited as prescribed in this article, and the officers in office shall continue therein until the expiration of their mandate as provided in the said by-laws, but this provision shall not affect pending cases nor acquired rights.

Application of act to existing associations and effect thereof.

12. A similar declaration shall likewise be signed by any person subsequently becoming a member of the association; and the clerk or secretary-treasurer shall be notified of the adhesion of every new member by the filing at the end of each year of the statement hereinafter mentioned.

Declaration by subsequent members.

13. The active members of the association, in general meeting assembled, may pass by-laws to determine the conditions of the admission of new active members, the mode of payment and the amount of the instalments, the system of book-keeping to be followed, and generally all things connected with the internal government of the association. Such by-laws may also establish a class of shareholders, called auxiliary members, and determine all matters concerning them; provided such members shall not have the right to vote or to fill any office in the association.

Power to pass by-law for certain purposes.

The by-laws shall prescribe that the person or persons having the handling or custody of the general funds of the association shall give a security bond, the nature and amount whereof shall be left to the discretion of the board of management.

Security may be required from certain persons.

A duplicate of such by-laws and their amendments shall be deposited in the office of the clerk or secretary-treasurer of the municipal council as mentioned above.

Deposit of duplicate of by-laws.

The association shall, when thereunto required by the Lieutenant-Governor in council, forward a copy of all by-laws adopted in virtue of this act.

Copy sent to Lieutenant-Governor in council.

14. The association shall be managed by a board known as the "board of management," composed of at least five members.

Board of management. Duration in office.

They shall remain in office during the year immediately following the annual meeting and until the election of their successors; the by-laws of the association may prescribe that one-half or one-third of them shall be replaced every year; they shall be re-eligible.

General powers of board of management.

15. 1. The board of management, within the scope of this act and of the by-laws of the association, shall deliberate, transact, compromise and enact upon all things affecting the interests of the association and, in particular, it may:

a. Settle the special conditions of every contract, being careful to see that the interests of the association are fully secured;

b. Obtain hypothecary securities for the benefit of the association and give discharges therefor; acquire immoveables by sale with faculty of redemption or otherwise, and sell the same either publicly or by private sale;

c. Represent the association, either as plaintiff or defendant, in any judicial proceeding, appeal from judgments and carry out seizures of moveables or immoveables until fully satisfied.

Borrowing | power limited.

2. The total amount of the sums borrowed by a syndicate or association shall not, at any time, exceed twice the amount of its special reserve fund mentioned in article 38 of this act and of its paid up and unimpaired capital.

President, secretary, &c.

Manager.

16. The board of management shall select, annually, from among its members, at its first sitting following the annual general meeting, a president, a vice-president, a secretary and a manager. The office of manager may be filled by one of the officers herein mentioned.

President, &c., of association.

The president, vice-president and secretary of the board of management shall, at the same time, be the president, vice-president and secretary of the association.

Board's special duty.

17. The board of management's special duty shall be:

a. To cause to be deposited in the office of the clerk or secretary-treasurer of the municipal council, wherein the head office of the association is situated, the duplicate of the declaration mentioned in article 11 of this act, as well as the duplicate of the by-laws and of the amendments thereto, and also the names of those who under any title are charged with its management or direction;

b. To supervise the condition of the funds and the book-keeping.

Meetings of board.

18. The board of management shall meet as often as may be required in the interest of the association, upon being convened by the president, the vice-president, the manager or by two members of the board.

Board of supervision.

19. In addition to the board of management and outside the members thereof, the general meeting shall appoint from amongst its members a "board of supervision" of three members. They shall execute their mandate during the year imme-

diately following the annual meeting and until the election of their successors; they may be re-elected.

20. The board of supervision shall oversee the board of management and the committee of credit hereinafter mentioned in all the details of their management. It shall have a right to inspect, at any time, all the acts and the keeping of the books and to require the production of the cash on hand. Powers and duties of board of supervision.

The members of the board of supervision cannot, either directly or indirectly, borrow from the association or become security for any borrower.

The board of supervision or two of its members may, at any time, convene an extraordinary general meeting of the association.

The proceedings of the board of supervision shall be entered in registers kept and written up by the manager.

21. In addition to the board of management and the board of supervision and outside the members thereof, the general meeting may appoint a committee of credit composed of at least three members. They shall remain in office during the year immediately following the annual meeting and until their successors are elected; they may be re-elected. Committee of credit. Term of office.

The committee of credit shall alone have absolute control of the loans, whenever such loans are made, saving the recourse authorized by article 28 of this act; the by-laws of the association shall determine the conditions under which they shall exercise their mandate. Nevertheless, the members of such committee shall, neither directly or indirectly, borrow from the association, nor become security for any borrower. Powers and duties of committee of credit.

22. The services of the members of the board of management, of the board of supervision and of the committee of credit shall be gratuitous. Services gratuitous. The manager may be paid for his services. Manager may be paid.

23. In case of a vacancy in the board of management, in the board of supervision, or in the committee of credit, the remaining members of the board of management shall have the right to provide a substitute for the remainder of the term. Vacancies in boards.

24. The general meeting of the association shall be composed of all the associates. It shall be constituted whatever may be the number of members present. No shareholder can vote by proxy except the societies or public bodies that hold shares, each of which shall have one vote only. Each shareholder has one vote only, whatever may be the number of his shares. Composition of general meeting, &c.

Decisions of
general
meetings.

25. The decisions of the general meeting shall be given by the majority of votes; in case the votes shall be equally divided the president shall have a casting vote.

Annual
general meet-
ings.

26. The general meeting shall *de jure* meet each year, within the thirty days following the close of the fiscal term, to take cognizance of the annual report for the previous term and to consider generally the business of the association. Such meeting shall be convened in the manner prescribed by the by-laws.

How con-
vened.

First meet-
ing to organ-
ize associa-
tion.

The first meeting held for the organization of a newly formed association and for the election of officers and the passing of by-laws may be held at any time. The notice calling the meeting shall be given by the person designated by the majority of those who have signed the declaration constituting the association and mentioned in article 11 of this act. The officers elected at such meeting shall remain in office during the current term and, in all cases, until the election of their successors.

Who may
call meeting.

Term of
office of per-
sons elected.

Appoint-
ment of
boards by
general
meeting.

27. The general meeting shall appoint, from among the associates, the members of the board of management, of the board of supervision and of the committee of credit.

Powers of
general
meeting.

28. It shall decide upon questions of interest to the association, its dissolution or the amendment of the by-laws. It shall reverse or approve the decisions of the board of management, or of the committee on credit, as the case may be, whenever there shall be an appeal therefrom for that purpose by two associates; provided that the contracts entered into with third parties be not affected.

Amendments to the by-laws can only be validly voted by three-fourths of the associates present at a meeting specially adjourned for that purpose to a future date.

The dissolution cannot be decided upon if at least ten members object thereto.

Appoint-
ment of
liquidators.

29. The meeting which decides upon the dissolution shall appoint one or three liquidators by a mere majority vote.

Extraordi-
nary meet-
ings and con-
vocation
thereof.
How con-
vened.
Convocation
by president,
&c.

30. In addition to the annual general meeting, extraordinary meetings may be held and convened in the same manner, at any time, either upon the decision of the board of management, of two members of the board of supervision or upon the requisition of one-tenth of the associates. The secretary, in every such case, shall convene the association by public notice, as mentioned in article 26 of this act. The president himself or the vice-president may also convene the meeting.

What to be
considered.

At such extraordinary meeting, no subjects shall be considered except those specially announced in the notice.

31. General meetings, either annual or extraordinary, as well as meetings of the board of management, of the board of supervision and of the committee of credit, may be validly held on holidays. Meetings may be held on holidays.

32. The by-laws of the association shall determine upon the manner of keeping accounts to be followed in the management of the business and shall define the manager's powers and duties. Keeping of accounts.

33. The accounts shall be kept by the manager according to the said by-laws, under the control of the board of management. Who keeps accounts.
The accounts of the association shall be closed every year at the end of the fiscal term. Closing of accounts.

34. Upon the closing of the fiscal term and during the first fortnight thereafter, a report of the situation shall be prepared in duplicate by the manager, duly attested, and a duplicate thereof shall be deposited in the office of the clerk or secretary-treasurer of the municipality. Report upon closing of accounts.

35. Such report shall contain:

- Contents of report.
- a. The list of the associates at the close of the previous fiscal term;
 - b. A separate and distinct list of the members admitted and withdrawn during the last fiscal term;
 - c. A summary statement of the assets and liabilities of the association;
 - d. A statement of the operations of the year, with an indication of the profits and losses;
 - e. All other information required for the purpose by the by-laws of the association.

36. The accuracy of such report shall be attested by the manager on oath taken before a justice of the peace. Attestation of report.

37. The general meeting, taking the report as a basis, determines the amount of the profits which it shall allot. Determination of profits.

38. The association may, by its by-laws, order the creation, out of a portion of its yearly profits, of one or more funds under such names as it may select, which funds shall constitute its own special property or reserve fund and may be wholly or partially divided among the associates or auxiliary members only in case of dissolution. The by-laws shall prescribe the amount and the manner of forming such funds, their object, management, the proportion of the yearly profits to be set apart for Reserve fund how created.

their accumulation and the amount they must respectively attain.

Copy of documents may be obtained from secretary-treasurer of municipalities.

39. Any person, whether a member of the association or not, may obtain from the clerk or secretary-treasurer of the municipality, on paying him the requisite fees, a copy of all documents concerning a cooperative association, which may be in the possession of the said clerk or secretary-treasurer.

Seals not to be affixed to association property at instance of associates, &c.

40. The associates cannot under any pretext apply for the affixing of seals upon the books and property of the association, nor demand the division or licitation of its property or reserve fund, nor interfere in any manner with the management. They shall, for the exercise of their rights, be bound by the decisions of the general meeting.

Withdrawal of members.

41. Any member may withdraw from the association by giving a notice or a mere letter to that effect to the secretary or manager of the association.

Dismissal of members.

42. The board of management may dismiss any member who has not carried out his engagements with the association. It may also dismiss from the association any member who has been convicted of a criminal offence, who refuses to comply with the provisions of the by-laws, whose private life shall be a source of scandal, or who shall become insolvent or bankrupt or shall be interdicted.

Minutes of meeting, &c.

The minutes of the meeting of the board of management respecting the dismissal of any associate shall set forth the facts giving rise to such dismissal, and a true copy shall be addressed to the dismissed associate within two days by registered letter.

Effect of withdrawal or dismissal. Payment of sum due persons who withdraw, &c.

43. No associate who has withdrawn or been dismissed can demand the liquidation of the association.

The amounts entered on the current account of associates, who have withdrawn or been dismissed, shall be paid to them as soon as the funds realized by the association, not absorbed by the association's debts then exigible, are paid in. The payments shall be made in the order of the withdrawal or dismissal, without prejudice to the provisions of article 9 of this act as to the minimum figure of the capital, and provided also that the association has not been put in liquidation by dissolution or otherwise during the three months immediately preceding the withdrawal or dismissal of such shareholder.

Heirs, &c., of certain members to recover share.

44. In case of the death, insolvency, bankruptcy or interdiction of an associate, his heirs, creditors or representatives shall recover his share in the manner determined by article 41 of

this act; provided always that the capital cannot be reduced under the amount of the original capital as declared in article 9 of this act.

45. All extracts from the minutes shall be signed by the president or the vice-president or by the secretary or manager. Signing of minutes, &c.

All contracts, promissory notes, cheques, drafts or documents binding the association shall be signed by the person or persons designated by the by-laws. Id. of contracts, &c.

46. In all deeds, bills of parcels, advertisements, publications and other printed or written documents issued by a syndicate, mention must always be made legibly and in full that such association exists under this act. Mention to be made in deeds, &c.

47. Associations regularly organized under this act may freely agree to unite in a joint action to protect their common interests. Union of associations.

48. The members entrusted with the management or direction of the association shall be personally liable for the wrongs done by the violation of this act. Liability of members of board for wrongs, &c.

49. Articles 5233 to 5252, inclusively, of the Revised Statutes, and the act 2 Edward VII, chapter 33, are repealed. R.S., 5233 to 5252, and 2 Ed. VII, c. 33, repealed.

Cooperative associations and agricultural syndicates constituted under the provisions of the repealed laws, shall in future be regulated by the provisions of this act. Existing associations, &c.

50. This act may be cited as the "Quebec Syndicates' Act, 1906." Name of act.

51. This act shall come into force on the day of its sanction. Coming into force.

SCHEDULE

QUEBEC SYNDICATES' ACT, 1906

The undersigned declare that they become members of a cooperative association with limited liability, under the name of The _____ Syndicate, with its head office at _____

in the county of _____, and that they subscribe the number of shares respectively indicated opposite their names.

Dated at _____, this _____, 19 ____.

Witnesses.	Name.	Surname.	Occupation.	Residence.	Number of shares of \$....

CHAP. 34

An Act to amend articles 5279 and 5284 of the Revised Statutes

[Assented to 9th March, 1906]

HIS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

R.S., 5279, amended. **1.** Article 5279 of the Revised Statutes is amended by adding thereto the following clause:

Secretary
member of
board.

Removal of
director, &c.,

“ The secretary of the company is *ex officio* a member of the board of directors which appoints him, and he as such, as well as the other directors, remain in office until the following annual meeting; they may, however, in the interval be re-moved and replaced at a general meeting of the members,

specially convened for that purpose, in accordance with article 5282.

The directors may, nevertheless, at any time before the annual meeting, suspend the secretary from his duties, for cause.”

2. Article 5284 of the Revised Statutes is amended by adding thereto the following clause:

“In companies which are both mutual and joint stock, every member may be represented by proxy to vote, provided such proxy is a member of the company.”

3. This act shall come into force on the day of its sanction.

Coming into force.

CHAP. 35

An Act to amend the Revised Statutes respecting the incorporation of clubs

[Assented to 9th March, 1906]

HIS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

1. The following article is added to the Revised Statutes after article 5488:

“5488a. The members of the club, in general meeting assembled, may, at any time, by resolution, change the name thereof, provided that a copy of such resolution, with a certificate of its having been duly passed, be, within ten days after the passing thereof, deposited in the office of the prothonotary of the Superior Court of the district in which the club is established, another copy be registered in the registry office of the county in which it exists, and another copy be forwarded to the Provincial Secretary, and that notice of the change of name be published once in the *Quebec Official Gazette*, once in a French newspaper and once in an English newspaper published in the district.

The club, under its new name, shall enjoy and possess all the privileges and be subject to all the duties and liabilities of the club under its former name.”

Art. added after R. S., 5488.

Change in name of club how effected.

Privileges, &c., under new name.

2. This act shall come into force on the day of its sanction.

Coming into force.

CHAP. 36

An Act to amend the law respecting fish and game protection clubs

[*Assented to 9th March, 1906*]

HIS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

R. S., 5493,
in french ver-
sion amend-
ed.

1. Article 5493 of the Revised Statutes is amended:

a. By adding the words: "en conseil" after the words: "lieutenant-gouverneur," in the third line of the French version.

b. By inserting after the words: "ainsi établi," in the sixth line of the French version, the word "en."

Id., 5495a re-
placed.

2. Article 5495a of the Revised Statutes, as enacted by the act 59 Victoria, chapter 35, section 1, is replaced by the following:

Semi-annual
return to be
made to Min-
ister of Co-
lonization,
Mines and
Fisheries.

"**5495a.** Every such club shall forward to the Minister of Colonization, Mines and Fisheries, on or about the first of April and on or about the first of October, in each year, a duly certified list of its members, containing an indication of their usual residence and another list of the guests and visitors, giving their usual residence."

CHAP. 37

An Act respecting the recovery of fines

[*Assented to 9th March, 1906*]

HIS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

R.S., 30,
amended.

1. Article 30 of the Revised Statutes is amended by striking out the words: "as well in the name of the Crown as", in the fifth and sixth lines.

Id., 5716
to 5719,
replaced.

2. Articles 5716 to 5719, both inclusive, of the Revised Statutes, are replaced by the following:

"5716. 1. Whenever, by law or under a municipal by-law, any person is authorized to sue for the recovery of any fine or penalty before the civil courts, he may recover the same in his own name in the same manner as an ordinary debt of like amount even if the fine should wholly or partly revert to the Crown or to a municipal corporation. Suits for fines.

2. No affidavit is required from the plaintiff or any other person before such suit is taken. No affidavit required.

"5717. Notice of any action in recovery of a fine, wholly or partly reverting to the Crown or to a municipal corporation, shall be served without delay by the plaintiff upon the Attorney-General or upon the municipal corporation, and the original of such notice, with a certificate of its service, shall be returned into court with the action. No proceedings can be had on the action before such return. Notice to Attorney-General or municipal corporation and service thereof.

"5718. The Crown or the municipal corporation may intervene in the suit at any stage of the proceedings to protect its interests and continue the case to judgment. Intervention of Crown, &c.

"5719. In no case can the defendant validly become discharged, either before or after judgment, unless by depositing in the office of the court the amount of the fine and costs. The prothonotary or clerk thereafter distributes the amount so deposited, according to law." Discharge only upon deposit in office of court.

3. Article 1048 of the Municipal Code, as replaced by the act M. C., 1048, 57 Victoria, chapter 51, section 10, is again replaced by the following: replaced.

"1048. Fines recovered in virtue of municipal by-laws or the provisions of this Code, belong, unless otherwise ordained, one-half to the prosecutor and the other half to the municipal corporation. Application of fines.

If the prosecution is taken in the name of the corporation, the fine belongs altogether to the corporation.

If the fine is due by the corporation it belongs one-half to the prosecutor and the other half to the Crown, and the Crown's half shall in such case be paid to the collector of provincial revenue of the revenue district."

4. This act shall not affect pending cases and shall come into force on the day of its sanction. Pending cases and coming into force.

CHAP. 38

An Act to abolish civil death

[Assented to 9th March, 1906]

HIS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

Civil death abolished.

1. Civil death is abolished.

Certain provisions repealed or replaced. Provisions repealed.

2. The provisions mentioned in the schedule to this act are, in consequence, repealed or replaced to the extent therein set forth.

Every provision inconsistent with this act is equally repealed.

Effect of certain condemnations.

3. Condemnation to death or to perpetual personal punishment carries with it civil degradation from the date of the sentence.

In what civil degradation consists.

4. Civil degradation consists:

1. In the removal and exclusion of the condemned person from all public functions, employments or offices under the legislative control of this Province;

2. In the deprivation of the right to vote and of being elected, and, generally, of all civil and political rights under the same legislative control;

3. In being disqualified as a juror, arbitrator or expert, from becoming a witness to any deed and from giving evidence before the courts other than to give information;

4. In being disqualified from forming part of any family council, acting as administrator, or trustee, and from being tutor, curator, subrogate tutor, or judicial adviser.

Persons condemned to certain punishment are in a state of interdiction and appointment of curator provided for. Disabilities of certain convicts.

5. A person condemned to death or to perpetual personal punishment is, in addition, from the date of the condemnation, in a state of interdiction, and, upon the petition of any person interested, a curator is appointed to him to manage and administer his property, in the form provided for the appointment of curators to persons interdicted for insanity.

6. A person condemned to death or to perpetual personal punishment cannot dispose of the whole or any part of his property, either by gift *inter vivos* or by will, nor receive thereunder, unless as an alimentary allowance.

Nullity of will previously made.

Every will by him made previous to his condemnation is null.

7. A pardon or the remission of the penalty or its commutation to another which does not imply civil degradation or interdiction in the terms of this act, restores the condemned person to all his political and civil rights and obliges the curator to account to him for his administration.

Effect of pardon or remission of penalty.

8. The effects of civil death cease, for the future, with respect to the persons now affected thereby, saving the acquired rights of third parties.

Effects of civil death to cease, &c.

With respect to persons who are now civilly dead in consequence of a condemnation, their condition is governed by the preceding provisions.

Application of provisions to certain persons.

SCHEDULE

PROVISIONS REPEALED OR REPLACED

LAW	ARTICLE	EXTENT OF REPEAL OR MODIFICATION
Civil Code....	30.....	§ 2.
do	31, 32, 33, 34, 35, 36, 37, 38, 70, 71, 72, 73, 74.....	The whole.
do	479.....	1st clause, 1st line, the following words struck out: "or civil death."
do	601.....	1st and 2nd lines, words struck out: "and also by civil death."
do	602.....	The whole.
do	608.....	§ 3.
do	624.....	1st clause, 2nd line, words struck out: "or civilly."
do	835.....	3rd line, the words: "civil death," struck out and replaced by the words: "civil degradation."
do	844.....	2nd clause, 3rd line, the following words struck out: "and must not be civilly dead, nor sentenced to an infamous punishment" and replaced by the words: "and must not be sentenced to civil degradation nor to an infamous punishment."

PROVISIONS REPEALED OR REPLACED.—*Continued.*

LAW	ARTICLE	EXTENT OF REPEAL OR MODIFICATION
Civil Code...	986.....	7th clause, words struck out: "Persons civilly dead", and replaced by the words: "Persons who are affected by civil degradation"
do	1295.....	The whole.
do	1310.....	2nd line, words struck out: "2. By civil death."
do	1350.....	The whole.
do	1403.....	2nd clause.
do	1438.....	2nd clause, 2nd line, words struck out: "by the civil death of the husband, or".
do	1755.....	Paragraph 3, 1st line, words struck out: "or civil."
do	1892.....	Paragraph 6, 1st line, words struck out: "civil death, or".
do	1912.....	The whole, and replaced as follows: "The obligation to pay a life rent continues during the natural life of the person upon whose life it is constituted."
Code of Civil Procedure.	314.....	§ 3.
do	1311.....	2nd line, words struck out: "or religious profession".
do	1313.....	3rd, 4th and 5th lines, words struck out: "and also the superior of communities in which vows of religious profession have been made".

CHAP. 39

An Act to amend article 53a of the Civil Code and article 1313 of the Code of Civil Procedure, respecting registers of birth

[Assented to 9th March, 1906]

HIS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

1. Article 53a of the Civil Code, as contained in article 5784 C. C., 53a, of the Revised Statutes, is amended by replacing the second amended clause thereof by the following:

"Such secretary-treasurer or clerk of the municipality or city shall, immediately, enter such declaration in a duplicate register kept by him for the purpose, after having such registers duly initialled as required by article 45 of this Code and article 1311 of the Code of Civil Procedure, one of which duplicates he shall, at the end of the year, deposit in the office of the prothonotary of the district. Entry of declaration in duplicate register duly initialled, &c.

Copies of and extracts from such registers may be made and certified by such secretary-treasurer or clerk or by the prothonotary to avail as if ordinary acts of civil status. Copies of entries, &c.

Any contravention of any one of the provisions of this article shall be punishable by a fine of fifty dollars." Fine for contravention of article.

2. Article 1313 of the Code of Civil Procedure is amended by inserting after the word: "made", in the fifth line, the words: "as are also secretary-treasurers of municipalities and clerks of cities with whom are registered declarations of birth under the provisions of article 53a of the Civil Code." C. C. P., 1313, amended.

CHAP. 40

An Act to amend article 1149 of the Civil Code respecting judgments in suits for usurious interest

[*Assented to 9th March, 1906*]

HIS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

C. C., 1149,
amended.

If debt is
made up of
usurious in-
terest, power
of court in
rendering
judgment.

1. Article 1149 of the Civil Code is amended by adding thereto the following clause:

"However, if the debt is made up of interest exceeding the legal rate, and seems to the court to be usurious; or if it includes such interest, whether such interest is called interest or be claimed under the name of discount, reduction in the advance, commission or otherwise, such court may order that such usurious interest, or such portion of usurious interest, be paid by instalments, and fix the amount of such instalments and their term of payment, at its discretion, according to circumstances."

CHAP. 41

An Act to amend article 2036 of the Civil Code

[*Assented to 9th March, 1906*]

Preamble.

WHEREAS doubts have arisen whether the judicial hypothec resulting from judgments rendered or judicial acts performed since the first of September, one thousand eight hundred and sixty, affect the immoveables acquired by the debtor after the date of the judgment or the judicial act, and it is expedient to remove such doubts;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

C. C. 2036,
replaced.

Exercise of
rights under
judicial hy-
pothecs.

1. Article 2036 of the Civil Code is replaced by the following:

"**2036.** Judicial hypothecs acquired between the thirty-first day of December, one thousand eight hundred and forty-one, and the first day of September, one thousand eight hundred and sixty, affect only such property as the debtor possessed at the time when the judgment was rendered or the judicial act performed.

Since the first day of September, one thousand eight hundred and sixty, and for the future, judicial hypothec may be exercised against all the immoveables possessed by the debtor and those which he may acquire."

2. This act shall not affect pending cases.

Pending cases.

3. This act shall come into force on the day of its sanction.

Coming into force.

CHAP. 42

An Act to amend articles 61, 639, 717, 1029, 1041, 1048, 1069 and 1352 of the Code of Civil Procedure

[Assented to 9th March, 1906]

HIS Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

1. Article 61 of the Code of Civil Procedure, as amended by C. C. P., 61, the acts 3 Edward VII, chapters 51 and 52, is further amended amended by striking out the words: "in the county of Lake St. John," in the third and fourth lines of paragraph 1 thereof.

2. The first paragraph of article 639 of the said Code is replaced by the following: Id., 639, § 1, replaced.

"639. The sale of moveable property under seizure is advertised, in the Island of Montreal, by a notice stating summarily the names of the parties, the nature of the effects, and the place, day and hour of sale, inserted in French in a newspaper published in that language in the city of Montreal, and in English in a newspaper published in the English language in the city of Montreal; and in any of the cities of Quebec, Three Rivers, Sherbrooke, St. Hyacinthe or Sorel or in the town of St. John's, the notice is inserted in French in a newspaper published in that language therein and in English in a newspaper published in the English language therein; and if there should be but one paper in the place, or if all the papers are published in but one of such languages, then the notice must be inserted in both languages in one paper." Advertisment of sales of moveable property under seizure how published.

3. Paragraph 1 of article 717 of the said Code is replaced by the following: Id., 717, § 1, replaced.

"1. When seizures are made in the Island of Montreal, in the cities of Quebec, Three Rivers, Sherbrooke, St. Hyacinthe or of certain

notices of sales, &c., in cases of seizure of immoveables.

Sorel, or in the town of St. John's, to publish, at the latest fifteen days before the sale, a notice briefly detailing the particulars of the sale in a newspaper published, if it concerns a sale in the Island of Montreal, in French in a newspaper published in that language in the city of Montreal and in English published in that language in the city of Montreal, and if it concerns a sale in any of the cities of Quebec, Three Rivers, Sherbrooke, St. Hyacinthe or Sorel, or in the town of St. John's, to publish the notice in a newspaper published in French and in one published in English in the locality, and if, there is only one newspaper in the locality or all are published in the same language, to publish the notice in both languages in the same newspaper, and to post a copy of the notice in his office after the publication."

Id., 1029.
amended.

4. Article 1029 of the said Code is amended by replacing the second clause thereof by the following:

Publication at church door of petition to sell hypothecated immoveables.

"Except in the Island of Montreal, and in the cities of Quebec, Three Rivers, Sherbrooke, St. Hyacinthe and Sorel, and in the town of St. John's, it must moreover be read and posted in both languages, at the door of the church of the parish in which the immoveable is situated, on a Sunday immediately after morning service; if there is no such service, it is sufficient to merely post the notice.

Id., 1041,
replaced.

5. Article 1041 of the said Code is replaced by the following:

Experts and their appointment in matters of licitation.

"**1041.** The experts are three in number, and are agreed upon by the parties; nevertheless if the parties consent or if the judge thinks proper by reason of the nature or situation of the property to be divided, only one need be named."

Id., 1048, § 2,
replaced.

6. Article 1048 of the said Code is amended by replacing paragraph 2 thereof by the following:

Publication of notices in matters of licitation.

"2. Moreover, if the immoveables are situated in the Island of Montreal, by being inserted in French in a newspaper published in that language in the city of Montreal, and in English in a newspaper published in that language in the city of Montreal; if the immoveables are situated in the city of Quebec, Three Rivers, Sherbrooke, St. Hyacinthe or Sorel, or in the town of St. John's, by being inserted in a newspaper published in French and in one published in English in the locality, and, if there is only one newspaper in the locality or all are published in the same language, in both languages in the same newspaper; and, if the immoveables are situated in a parish other than those contained in the above-mentioned localities, by being read aloud and posted on the third Sunday before the day on which the licitation is to

take place, at the door of the church of the parish in which the immoveables are situated, immediately after morning service, or, if there is no church, at the most public place in the locality. If there is no service it is sufficient to merely post the notice."

7. Article 1069 of the said Code is amended by replacing all Id., 1069, the words preceding the word: "newspaper," in the seventh amended. and eighth lines of paragraph 2 by the following:

"2. Moreover, if the immoveable is situated in the Island of Montreal, by being inserted in French in a newspaper published in that language in the city of Montreal, and in English in a newspaper published in that language in the city of Montreal; if the immoveable is situated in the city of Quebec, Three Rivers, Sherbrooke, St. Hyacinthe or Sorel, or in the town of St. John's, by being inserted in a newspaper published in French, and in one published in English, in the locality, and, if there is only one newspaper in the locality or all are published in the same language, in both languages, in the same". Publication of notices in matters of confirmation of title.

8. Paragraph 1 of article 1352 of the said Code is replaced Id., 1352, §1, by the following: replaced.

"1. When the immoveables are situated in the Island of Montreal, by inserting such notice in French at the latest fifteen days before the sale in a newspaper published in that language in the city of Montreal, and in English in a newspaper published in that language in the city of Montreal; and, when the immoveables are situated in the city of Quebec, Three Rivers, Sherbrooke, St. Hyacinthe or Sorel or in the town of St. John's, by inserting such notice, at the latest fifteen days before the sale, in a newspaper published in French, and in one published in English, in the locality; and, if there is only one newspaper in the locality or both are published in the same language, by inserting it in both languages in the same newspaper; or" Publication of notices in cases of sales of property of minors.

CHAP. 43

An Act to amend the Code of Civil Procedure

[Assented to 9th March, 1906]

HIS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

Art. added to C. C. P., after 135. **1.** The following article is inserted in the Code of Civil Procedure, after article 135:

Proceedings affecting immoveable property of certain deceased persons, how carried on. **"135a.** When the succession of a person opens outside of the Province, any real action relating to his estate may be taken against the heirs collectively who have not registered, within the three months, the conveyance by will or transmission by succession of such property, as required by article 2098 of the Civil Code.

Service is made upon the order of a judge of the district in which the property is situated, ordering such heirs to appear within one month from the last publication of a synopsis thereof in French and English in a newspaper in such district.

If the heirs do not appear, proceedings are continued as in cases by default, and no service of the judgment is necessary."

CHAP. 44

An Act to amend the Municipal Code

[Assented to 9th March, 1906]

HIS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

Art. added to M. C., after 32. **1.** The following article is inserted in the Municipal Code after article 32:

Erection &c., of municipalities. **"32a.** The county council may, in the same manner, divide a parish municipality into two municipalities, erect into a municipality a part of two or more parishes, and detach part of a parish municipality and annex it to another parish municipality."

Id., 246, amended. **2.** Article 246 of the said Code is amended by adding thereto the following clause:

"In the event of the absence or inability to act of any mayor of a local municipality, the pro-mayor appointed under article 345 may represent such local municipality at any meetings of the county council."

Pro-mayor may represent local municipality in county council.

3. The following article is inserted in the said Code after article 476a, as contained in article 6096 of the Revised Statutes:

Article added to id., after 476a.

"**476b.** To order that no wall or fence over a certain height shall be erected along municipal roads or within forty feet of such roads."

Height of fences.

4. Article 535 of the said Code, as contained in article 6115 of the Revised Statutes, is amended by adding, after the words: "roads or bridges," in the first line, the words: "or all or any other bridges including those mentioned in article 883."

Id., 535, amended.

5. The following article is added after article 615c of the said Code, as enacted by the act 53 Victoria, chapter 64, section 1:

Art. added to id., after 615c.

"**615d.** To exercise the powers conferred upon town and village councils, by articles 638 and 639, respecting lighting."

Powers respecting lighting.

6. Article 773 of the said Code is amended by adding thereto the following clause:

Id., 773, amended.

"It shall, however, be lawful for the council to enact, by by-law, that such works shall be performed at the expense of the municipality or of a part thereof."

Power of council as to works.

7. Article 802 of the said Code is amended by adding the following words, at the end of paragraph 8 thereof: "or they may be performed by the day under the direction of the officer having the supervision of the works."

Id., 802, § 8, amended.

8. Article 892 of the said Code is amended by adding thereto the following words: "or by the day under the direction of the road or rural inspector having jurisdiction."

Id., 892, amended.

9. Article 893 of the said Code is amended by inserting, before the word: "On," in the first line, the words: "In case the works are performed by contract."

Id., 893, amended.

10. Article 1064 of the said Code, as contained in article 6220 of the Revised Statutes, is amended by striking out the word: "juridical", in the second line thereof.

Id., 1064, amended.

CHAP. 45

An Act to amend the Municipal Code respecting the County
Circuit Court and registry offices

[Assented to 9th March, 1906]

HIS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

M. C., 513,
amended.

1. Article 513 of the Municipal Code, as contained in article 6110 of the Revised Statutes, is amended:

a. By replacing the words: "or city municipality", in the thirteenth line, by the words: "city or other municipality";

b. By replacing the words: "or city" in the twenty-fifth line, by the words: "city or municipality".

Id., 515,
amended.

2. Article 515 of the said Code, as contained in article 6111 of the Revised Statutes, is amended:

a. By replacing the words: "or town" in the twelfth line, by the words: "town or other municipality".

b. By replacing the words: "or town" in the twenty-third line by the words: "town or municipality".

Coming into
force

3. This act shall come into force on the day of its sanction.

CHAP. 46

An Act to amend article 566 of the Municipal Code

[Assented to 9th March, 1906]

HIS MAJESTY, with the advice and consent of the Legislative Council, and of the Legislative Assembly of Quebec, enacts as follows:

M. C., 566,
amended.

1. Article 566 of the Municipal Code, as contained in article 6123 of the Revised Statutes, and replaced by section 3 of the act 2 Edward VII, chapter 45, is amended by striking out all the words after the word: "Government", in the fourteenth line to the end of the said article.

Effect of act. 2. This act shall not affect any bottler's establishment now in existence, until the first of May, 1907.

CHAP. 47

An Act to ratify an agreement passed between the City of Montreal and the Canadian Pacific Railway Company

[Assented to 9th March, 1906]

WHEREAS the City of Montreal and the Canadian Pacific Railway Company have, by their petition, represented that it is in the interest for the proper administration of their affairs that the agreement between the City of Montreal and the Canadian Pacific Railway Company, passed on the 30th of June, 1905, before R. A. Dunton, notary public, should be ratified, and whereas it is expedient to grant their prayer;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

1. The agreement between the City of Montreal and the Canadian Pacific Railway Company of the 30th of June, 1905, passed before R. A. Dunton, notary, a copy whereof is annexed to this act as a Schedule, and all the conditions and stipulations therein set forth, are ratified and confirmed, and the contracting parties are authorized to fulfil the conditions thereof according to the terms and tenor thereof; and power is hereby granted to the parties to do all acts necessary for carrying out the said agreement or deed, in accordance with the intention of the contracting parties. Certain agreement of 30th June, 1905, ratified.
2. Such agreement shall be continued and extended for a further period of ninety years making a total of at least ninety-nine years. Agreement continued for term of years.
3. The said railway company shall be liable for all damages which may be caused to any person or property by reason of the closing of the said streets, ramp and portions of streets, or alterations in the levels thereof, and shall also indemnify and hold harmless the City against any suit instituted, judgment rendered or claim recognized as well founded against the City, including capital, interest and costs, as the case may be. Liability of company under agreement for certain damages;
Such recourse of the injured proprietor may be exercised either against the company or against the City or jointly against both. Recourse of proprietors.
4. This act shall come into force on the day of its sanction. Coming into force.

SCHEDULE

On this thirtieth day of June, one thousand nine hundred and five,

Before ROBERT A. DUNTON, the undersigned notary public for the Province of Quebec, residing and practising in the city of Montreal,

APPEARED:

THE CITY OF MONTREAL, a body politic and corporate, duly incorporated, having its head office in the city-hall, in the East ward of the city of Montreal, herein acting and represented by His Worship the Mayor of said city, Hormisdas Laporte, Esquire, merchant, and René Bauset, Esquire, assistant city clerk, duly authorized for the purposes hereof by a resolution of the council of said City, passed at a meeting thereof held on the eighth day of May last (1905)

Of the first part,

AND

THE CANADIAN PACIFIC RAILWAY COMPANY, a body politic and corporate, having its head office and principal place of business in the said city of Montreal, herein acting and represented by Sir Thomas G. Shaughnessy, Knight, the President, and Charles Drinkwater, the Secretary of said Company, duly authorized for the purposes hereof by the by-laws of the Company, hereinafter called the Railway Company,

Of the second part.

Which said parties declared as follows:

That the said Railway Company has made application to the said City to close certain streets in the vicinity of Viger Station Yard of said Railway Company in the St. James ward and St. Mary's ward, now Papineau ward;

That it is desirable and necessary that increased facilities for handling freight should be given to said Railway Company without further delay with due regard however for the interests of the City and interested proprietors;

That, as appears by the resolution of the council of the said City, passed at a meeting thereof held on the eighth day of May last (1905), hereinafter referred to, the special committee on this matter reported that it would be in the general interest that Barclay Street, Brock Street Ramp and certain portions of Commissioners, Wolfe, Montcalm and Beaudry Streets, as

shown on a plan dated the sixth of March last (1905) marked "A" hereinafter referred to, be closed;

That, by a resolution of the council of said City passed at a meeting thereof held on the eighth of May last (1905), adopting a report of the special committee anent the rights of the City and said Railway Company to close certain streets, and also a supplementary report of the same special committee dated the sixth of May last (1905), bearing on the same subject, it was resolved that Barclay Street, Brock Street Ramp and certain portions of Commissioners, Wolfe, Montcalm and Beaudry Streets hereinafter more fully described be closed, and that said Railway Company be allowed to lay and establish tracks thereon for the service of the Company, and that a lease for a period of nine years of said streets and portions of streets so closed be granted to said Railway Company; the whole subject to the charges and conditions set forth in said resolution of council and hereinafter set forth, a certified extract from the minutes of said meeting of council containing said resolution being hereto annexed, identified by the signatures of the parties hereto and the undersigned notary;

That, in pursuance of the said resolution and in order to give effect to the same, a by-law, being by-law No. 331, was passed, adopted and enacted by the council of said City at a meeting thereof held on the nineteenth day of June (1905) whereby it was ordained that the streets and portions of streets hereinafter described be discontinued and closed for use as public streets, a certified copy of which by-law is hereto annexed for reference, identified by the signatures of the parties hereto and the undersigned notary;

Wherefore these presents and I the said notary, witness:

1. That the said City of Montreal has consented and agreed and hereby consents and agrees that the following streets or portions of streets shall hereafter be discontinued and closed for use as public streets, namely:

(1) Barclay Street, extending from Commissioners Street to Notre Dame Street; bounded to the southeast by the north-western side of Commissioners Street; to the northeast by lots cadastral Nos. 4 and 5 of the St. Mary's ward; to the north-west by the southeastern side of Notre Dame Street; to the southwest by lots cadastral numbers 54 and 53 of the St. James ward.

(2) Brock Street Ramp, extending in a broken line in a southerly direction from Commissioners Street, at the foot of Beaudry Street (formerly Brock Street) to the lands of the Harbor of Montreal; bounded to the eastern end by the south-eastern side of Commissioners Street, and on the remaining three sides by cadastral lot No. 1214 of the St. James ward.

(3) That portion of Commissioners Street, formerly known as Water Street, extending from the foot of the southeastern end of St. Timothy Street (formerly Jacques Cartier Street) to the southwestern side of Panet Street. The said portion of Commissioners Street is described with more precision as follows: Bounded to the western end by a line drawn from the southeastern corner of the portion of cadastral lot No. 18 of the St. James ward; owned by the Montreal Brewing Company, to the southwestern corner of the portion of lot cadastral number 19 acquired by the Canadian Pacific Railway Company from the Hon. Louis Forget by deed passed before E. H. Stuart, N. P., on the 30th December, 1902; to the northwest by the northwestern residue of cadastral lot No. 19, by cadastral lots Nos. 23 and 24, the end of Wolfe Street, (formerly Grant Street) by cadastral lots Nos. 29, 30, the end of Montcalm Street, cadastral lot No. 39, the end of Beaudry Street (formerly Brock Street), cadastral lot No. 53 of St. James ward, the end of Barclay Street, cadastral lots Nos. 4, 3, 12 and 13 of the St. Mary's ward; to the eastern end by the southwestern side of Panet Street; to the southeast by cadastral lot No. 1599 of the St. Mary's ward and by cadastral lots Nos. 1214 and 1 of the St. James ward.

(4) That portion of Wolfe Street, formerly known as Grant Street, extending in a northwesterly direction from Commissioners Street (formerly Water Street), a distance of about 80 feet; bounded to the southeast by the northwestern side of Commissioners Street; to the northeast by cadastral lot No. 29; to the northwest by an imaginary straight line starting from the division line between cadastral lots Nos. 28 and 29 of the St. James ward, running across the street to a point situate at the southeastern corner of that part of lot cadastral number 25 which belongs to the estate of the late C. T. Viau; to the southwest by a line running along the southwestern side of Wolfe Street, from the point above mentioned to Commissioners Street.

(5) That portion of Montcalm Street, extending in a northwesterly direction from Commissioners Street, a distance of about 214 feet; bounded to the southeast by the northwestern side of Commissioners Street; to the northeast by lots cadastral Nos. 39, 38 and 37 of the St. James ward; to the northwest by an imaginary straight line starting from the division line between cadastral lots Nos. 36 and 37 of the St. James ward and running across the street to a point situate a distance of about 129 feet from the southeastern side of Notre Dame Street; to the southwest by a line running along the southwestern side of Montcalm Street from the above mentioned point to Commissioners Street.

(6) That portion of Beaudry Street (formerly Brock Street), extending in a northwesterly direction from Commissioners Street, a distance of about 240 feet; bounded to the southeast by the northwestern side of Commissioners Street; to the northeast by cadastral lots Nos. 53, 52 and 51 of the St. James ward; to the northwest by an imaginary straight line starting from the division line between cadastral lots Nos. 51 and 50, running across the street to the division line between cadastral lots Nos. 43 and 42; to the southwest by cadastral lots Nos. 42, 41, 40 and 39 of the St. James ward.

(7) That Ramp extending in a southwesterly direction from Commissioners Street, opposite the southwestern part of lot cadastral No. 23 of the St. James ward, for a distance of about 110 feet; bounded to the northwest by the southeastern side of Commissioners Street, and on the remaining three sides by cadastral lot No. 1214 of the St. James ward.

The whole English measure, more or less, and in accordance with the accompanying plan prepared by John R. Barlow, City Surveyor, bearing date the 31st day of May, 1905, and deposited of record in his office, a blue print copy whereof is hereto annexed, identified by the signatures of the parties hereto and the undersigned notary. And the said streets, ramp and portions of streets being also shown on a certain plan, dated the sixth of March last (1905), marked "A", identified by the signatures of the parties hereto and the undersigned notary.

2. The said City, in consideration of the premises and further in consideration of the rental or sum of one dollar per annum, payable annually on the first of May in each year, doth hereby lease to said Railway Company thereof accepting, for the term of nine years, reckoned from the date hereof, the said streets and portions of streets hereinbefore described and closed, with right to said Railway Company to lay and establish tracks thereon for the use and service of the said Railway Company in the transaction of its business.

3. The said City has thus agreed to discontinue and close said streets or portions of streets and has leased the same to said Railway Company for the purposes aforesaid for the consideration and upon and subject to the following charges and conditions, which are of the essence of the present agreement without which the same would not have been made, and to the fulfilment of which the said Railway Company binds itself, namely:

(a) The said Railway Company shall be liable for all damages which may be caused to any person or property by reason of the closing of the said streets, ramp and portions of streets, or alterations in the levels thereof, and shall also indemnify and hold harmless the City against any suit instituted, judgment

plan "D" hereto annexed, along the front of the properties upon which the buildings have been demolished. Until the buildings have been demolished the Railway Company agrees to keep them in good condition and tenantable.

(h) It is further agreed between the parties hereto that said Railway Company shall open to traffic, within ninety days from the authorization or ratification by the Legislature hereinafter referred to, St. Hubert Street, in St. Denis ward, Montreal, at the point where the said street is crossed by the said Railway Company's tracks, and gates shall be erected and maintained by the Railway Company, and a watchman shall be stationed by the said Railway Company at such crossing in order to prevent accidents. And the said City, in consideration thereof, binds itself to close Carrière street at its junction with the Railway Company's tracks, and, in order that traffic on Carrière street be not interfered with, the Railway Company shall acquire within the above mentioned delay of ninety days the following described real estates situated in St. Denis ward, viz:

1. The southern part or portion of the lots of land known and designated upon the official plan and in the book of reference of the incorporated village of "La Côte St. Louis," in the county of Hochelaga, as official subdivisions numbers one hundred and twenty-three (123); one hundred and twenty-four (124); one hundred and fifty-four (154); one hundred and fifty-five (155); one hundred and eighty-six (186); one hundred and eighty-seven (187) and two hundred and fifteen (215) of the original official lot number seven (7), 7-123, 7-124, 7-154, 7-155, 7-186, 7-187 and 7-215.

2. The lot of land known and distinguished upon the official plan and in the book of reference of the said incorporated village of "La Côte St. Louis," in the county of Hochelaga, as official subdivision lot number two (2) of the original official lot number six (6-2). The said Railway Company shall cede, gratuitously and unconditionally, the above described official subdivision lot or portions of said subdivision lots to the City in order that a street may be opened along the north side of the company's tracks from St. Hubert street to Carrière street aforesaid; and the street thus opened shall be graded and macadamized by the Canadian Pacific Railway Company at their expense and to the satisfaction of the City Surveyor.

- (i) The said Railway Company shall pay the cost of the removal of the hydrants and water mains, pipes and posts for electric lights and electric wires, situated within the limits of all streets and portions of streets to be closed under the present agreement; but it is understood that all hydrants, manholes, gullies, curbstones, pavements, sidewalks, pipes, drains and other material on the streets or parts of streets to be closed

shall remain the property of the City of Montreal, in whole or in part, even after the removal of same by the said Railway Company.

(j) It is further agreed that the said Railway Company shall cede gratuitously to the City the portions of the south wall and the land on which said wall is built, included within the limits of the land required for the widening of the Longueuil Ferry Street, and said Railway Company agrees to execute separate and specific deed of cession of said portion of retained wall and land to the said City at any time on demand.

(k) Although the lease of said streets and portions of streets hereinbefore closed, from the City to said Railway Company is hereinbefore specified to be for the term of nine years, it is the intention of the parties hereto that the same shall be continued or extended for a further period of ninety years, making the total period of lease ninety-nine years, provided the Legislature of the Province of Quebec will ratify the present agreement, and grant to said City the necessary authority to extend the said lease for said period of ninety-nine years; and it is agreed and understood that said City and said Railway Company shall apply jointly to the Legislature of the Province of Quebec for an act ratifying and confirming the present agreement and granting authority to the City to extend the term of the lease of said streets and portions of streets hereinbefore mentioned to said period of ninety-nine years.

(l) The said Railway Company shall pay the cost of these presents and of a copy for said City.

(m) It is expressly stipulated that nothing contained in the present agreement shall affect or shall be construed as derogating in any way from the rights existing in favor of said City with regard to said Railway Company, which shall continue in full force as if the present agreement had not been executed.

These presents have been thus entered into on the part of the City of Montreal under the authority and in pursuance of the said resolution of the council of said City passed at a meeting thereof held on the eighth of May last (1905), hereinbefore referred to as annexed, identified by the signatures of the parties hereto and the undersigned notary, and also in pursuance and under the authority of said by-law No. 331, also hereinbefore referred to as being annexed hereto, identified by the signatures of the parties hereto and the undersigned notary.

DONE AND PASSED, at the said City of Montreal, on the day and year herein first written under the number twenty-three thousand eight hundred and eighteen of the original minutes of said Mre Dunton and, after due reading hereof, the said

parties hereto have hereto set their hands and signatures, and the said René Bauset, assistant city clerk, has hereto annexed the corporate seal of the City of Montreal, the whole in the presence of said notary who has also signed.

!(Signed) THE CANADIAN PACIFIC RAILWAY COMPANY.

" T. G. SHAUGHNESSY, *President*.

" C. DRINKWATER, *Secretary*.

" H. LAPORTE, *Mayor*.

[L.S.] " RENE BAUSET, *Asst. City Clerk*.

" R. A. DUNTON, *N. P.*

A true copy of the original hereof remaining of record in my office.

R. A. DUNTON.

CHAP. 48

An Act to amend the charter of the city of St Hyacinthe

[Assented to 9th March, 1906]

Preamble.

WHEREAS the city of St. Hyacinthe has represented that it is in the interest of the proper administration of that city that certain amendments be made to its charter, the act 51-52 Victoria, chapter 83, and the various acts amending the same, and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

51-52 V., c.
83. art. 14,
replaced.

1. Article 14 of the act 51-52 Victoria, chapter 83, as amended by section 3 of the act 54 Victoria, chapter 80, and replaced by section 8 of the act 58 Victoria, chapter 52, is again replaced by the following:

Where elect-
ors to vote.

"14. Electors shall not vote except at the poll of the ward in which they are qualified as such.

If an elector is qualified to vote in more than one ward, he may vote for the election of aldermen in each ward in which he is so qualified. Voting for aldermen if qualified in more than one ward.

Nevertheless, no person qualified to vote at the election of mayor or of one or more aldermen shall be entitled to have his vote registered, unless he has paid, before the fifteenth of December immediately preceding such election, if it be an annual election, and at least eight days before any special election, his municipal taxes and assessments which are due. Payment of taxes before certain date required.

Any municipal elector of the city may require that any elector shall produce a receipt, or a certificate from the treasurer or assistant-treasurer, establishing the payment of the said taxes before the prescribed date, in default of which such elector shall not vote. Receipt to be produced if required.

2. Article 29 of the act 51-52 Victoria, chapter 83, as Id., 29, replaced by section 12 of the act 58 Victoria, chapter 52, is again replaced by the following: placed.

"29. The nomination of candidates shall be held from the hour of ten to the hour of eleven in the forenoon on the first Monday of January, in the city hall of the city, unless that day is a non-juridical day, in which case such nomination shall be held on the next following juridical day between the same hours. When nomination to be held.

The presiding officer shall receive the names and put in nomination all candidates duly qualified for the office, who shall be nominated in writing, by not less than twenty duly qualified electors, for the office of mayor, and not less than ten, for the office of alderman. Nomination of candidates.

Each nomination-paper must specify the ward for which the candidate for the office of alderman is proposed; and no nomination-paper shall be accepted by the presiding officer unless it be accompanied by the written consent of the candidate nominated either for the office of mayor or for that of alderman. Contents of nomination-paper.

The presiding officer shall require the person producing a nomination-paper to make oath before him that the several persons who have signed the nomination-paper are electors duly qualified to vote at the election, according to the electors' list in force, and that they signed the same in his presence. Oath required.

The nomination-paper shall be in the form A in the schedule to the present act. Form of nomination-paper.

At the hour of eleven of the clock in the forenoon of the said day, the presiding officer shall publicly declare the names of all candidates nominated for the offices of mayor and aldermen, with the names of the proposers, and with the names of the wards for which the said candidates as aldermen, are respectively nominated. Proclamation by presiding officer.

If unopposed to be declared elected. In case there are no more candidates duly nominated than there are vacancies to be filled in any ward of the city, the presiding-officer shall declare the candidate or candidates nominated to be elected."

Id., 47, replaced. **3.** Article 47 of the act 51-52 Victoria, chapter 83, as amended by section 15 of the act 58 Victoria, chapter 52, is replaced by the following:

Monthly meetings of council where held. Absolute majority defined. "47. The council shall meet, at least once each month, for the transaction of the affairs of the city, and shall hold its sittings in such place as it shall please the said council to choose. The absolute majority of the members of the said council shall consist of at least one-half of the councillors in office and of the mayor, and shall form a quorum for the despatch of business; and all contested questions shall be decided by the majority of the members present; but for the purpose of amending, suspending or repealing any rule or by-law, no motion to that effect, regularly brought before the council, can be adopted and carried out unless it be voted by three-fifths of the aldermen.

Decision of questions. No member of the council shall take part in the discussion of any question in which he has a personal interest.

Members personally interested. Decision of council as to interest. The council, in case of dispute, shall decide whether the member has or has not a personal interest in the question; and such member has no right to vote on the question of his interest.

Appointment of head of council, &c. This article shall not apply to the appointment of the head of the council, nor to the naming of committees."

Id., 93, § 5, replaced. **4.** Paragraph 5 of section 93 of the act 51-52 Victoria, chapter 83, as replaced by section 39 of the act 58 Victoria, chapter 52, and by the act 3 Edward VII, chapter 65, section 2, is again replaced by the following:

Tax on merchants, brokers, &c. "5. On all merchants, traders, manufacturers, bankers, banks and all agents of bankers and banks, brokers and exchange agents, auctioneers, grocers, bakers, butchers, hucksters, owners or occupants of houses of public entertainment, inns, coffee-houses and eating-houses, retailers of spirituous liquors, proprietors of wood- or coal-yards, slaughter-houses, laundries, printing establishments, pawn-brokers, livery-stables, inspectors, lumber or coal merchants either by wholesale or retail, having a place of business in the city of St. Hyacinthe, dealers in potash, pork, beef, flour, butter or other produce; on railway, telegraph, telephone and light companies; on life, fire and accident insurance companies, both for persons and property, and manufacturers and suppliers of motive power, steamboat companies, or their agents, doing business in the city; on proprietors or managers of theatres, billiard-rooms, bowling-alleys, or other similar games, and generally on all trades, manufactures, occupations, business,

arts, professions, or means of profit or subsistence, whether they be above enumerated or not, which now are or may hereafter be done, exercised or carried on in the city,—a business tax, at the rate of seven and one-half per cent. on the annual value of the premises occupied by the said persons in the city, in which they do business or carry on such trade, manufacture, occupation, art, profession, or means of profit or subsistence; and further, a duty or license which it shall be lawful for the council to exact for the exercise of any of such offices, trades, arts, professions, business or industries in the said city; which license shall not exceed the sum of one hundred dollars for any telegraph, telephone, life insurance company, and fire and accident insurance company both for persons and property, and of one hundred and fifty dollars for light companies, and not exceeding two hundred and fifty dollars for banks. The council shall have the right to impose a higher license, up to thirty per cent. additional, on persons carrying on such business, manufacture, trade and industry in the city, but not residing therein and not being proprietors therein.”

Additional
tax upon
those who
are not pro-
prietors and
are not resi-
dents.

5. This act shall come into force on the day of its sanction. Coming into
force.

CHAP. 49

An Act to consolidate and revise the charter of the town of
Levis

[Assented to 9th March, 1906]

WHEREAS the corporation of the town of Levis has, by its Preamble. petition, represented that it has become expedient to consolidate and revise the charter of the said town, and to add further provisions;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

CONSTITUTION AND BOUNDARIES OF THE TOWN

1. This act shall be cited as “The charter of the town of Levis.” The provisions of this act shall not prejudicially affect vested rights. Citation of
act.
Vested
rights, &c.

2. The inhabitants and ratepayers of the former corporation of the town of Levis and their successors are and remain a corporation and body politic, under the name of: “The town of Levis.” Corporation
continued.
Name.

Town separate from county.

3. The town of Levis is and remains separate from the county of Levis for municipal purposes.

3 Ed. VII, c. 38, to apply.

4. The town of Levis shall, in future, be subject to the provisions of the Cities and Towns' Act, 1903, except in so far as they may be inconsistent with the provisions of this act.

36 V., c. 60, and amending acts, repealed.

The act of incorporation of the town of Levis, 36 Victoria, chapter 60, and the acts amending the same, are hereby repealed.

Rights, &c., vested in corporation.

5. The corporation hereby constituted succeeds to the rights, privileges, obligations, property, claims and actions of the corporation existing under the acts repealed by the foregoing section.

Present mayor and aldermen continued in office.

6. The present mayor and aldermen of the town of Levis, or their substitutes in the event of a vacancy, shall remain in office until replaced under the provisions of this act.

Present municipal officers and employees.

7. The present municipal officers and employees of the town shall remain in office until they are dismissed, resign or are replaced by the council.

Existing by-laws, &c.

8. The by-laws, resolutions, *procès-verbaux*, rolls, accounts for taxes and debts, ordinances, plans and other municipal acts and documents whatsoever, passed or consented to by the council of the town of Levis and now in force, shall continue to have their full effect until set aside, amended, repealed or accomplished.

Outstanding notes, &c.

9. The notes, bonds, obligations, pledges, covenants or contracts subscribed, accepted, endorsed or consented to by the town of Levis, until the coming into force of this act shall continue to have their effect.

Territory of town.

10. The town of Levis shall comprise, within its limits, all the territory hereinafter bounded and described as follows, to wit:

Boundaries of town.

The town of Levis, in the county of Levis, is bounded in front to the northwest by the river St. Lawrence at a depth of forty feet at low water; in rear, to the southeast, by the parishes of St. Télesphore, St. David de l'Aube-Rivière, Notre Dame de la Victoire and by a portion of the village of Bienville, on one side towards the northeast by the said village of Bienville, and on the other side to southwest by the Etchemin river and by the parishes of St. Romuald and St. Télesphore, measuring about one hundred and thirty-two arpents in front, and containing in superficies about one thousand six hundred and eighty-six arpents.

11. The territory of the town of Levis is divided into three wards, namely: St. Lawrence Ward, Lauzon Ward, and Notre Dame Ward. Division into wards:

The numbers mentioned in the present description are the numbers of the official cadastre for each of such wards. Numbers are those of cadastre.

St. Lawrence Ward is bounded as follows:

In front to the northwest by the river St. Lawrence at a depth of forty feet at low tide, starting from the prolongation into deep water of the line between No. 2 and No. 406 of Lauzon ward (formerly the property of George Couture), running in a south-westerly direction to the prolongation of the southwest line of lot No. 638; thence in deep water to the southeast by the said prolongation of the southwest line of lot No. 638 to low water mark; thence by the southwest line of lots Nos. 638 and 639, adjoining the parish of St. Romuald and the mouth of the Etchemin river, to the northwest side of the St. Nicholas road; thence to the northeast by the northwest side of the said St. Nicholas road in front of Nos. 639, 641 to 648 inclusively, and part of 649, to the place where the said St. Nicholas road crosses the Grand Trunk Railway; thence to the east by the north side of the said St. Nicholas road and by the south line of lot No. 650 to the line separating the said lot No. 650 from No. 651; thence to the southeast by the line separating the parish of St. Télesphore from No. 652 and its subdivisions (the property of the domain) to the Etchemin river; thence by the right bank of the said Etchemin river and by a line separating the said parish of St. Télesphore from lots Nos. 652 and 653 to the depth of the said lot No. 653; thence to the east by the line at the depth of the said lot No. 653 to the southeast corner of said lot; thence to the northwest by the northeast line of the said lots Nos. 653, 652 and 651 to lot No. 615 (formerly the property of John Lambie); thence to the east at the depth of the said property by the said south line of lots Nos. 615 and 614 to the southeast corner of the said lot No. 614; thence to the northwest by the northeast line of the said No. 614 and of lot No. 613 to the depth of No. 605 at the brow of the hill, facing the river; thence to the northeast following the brow of the hill by the southeast line of the said lot No. 605, to the southeast corner of said lot; thence to the north by the east line of lots Nos. 605 and 604 to the depth of lot No. 599; thence in a general northeasterly direction following the brow of the hill by the southeast or rear lines of lots Nos: 599, 598, 597, 591, 590, 587, 585, 569, 561, 550, 549, 545, 541, and 528 to the southeast corner of lot No. 524; thence by the southwest side line of No. 520 to its depth; thence to the northeast by the rear line of the said lot No. 520 to its southeasterly corner; thence to the northwest by its northeast side line to lot No. 511; thence by the southeast and northeast lines of the said lot No. 511 to the brow of the hill; thence towards the northeast following the

St. Lawrence ward;

brow of the hill by the southeast line of lots Nos. 496, 495, 494, 490, 489, 488, 485, 484, 481, 480 and 477, to the southeast corner of lot No. 465; thence to the southeast by the southwest side of lots Nos. 451 and 450 to the public highway; thence to the northwest side of the said road to Dawson's Hill; thence to the northwest by the centre of the said Dawson's Hill to the southwest corner of lot No. 449; thence by the southeast and northeast side lines of the said lot No. 449 to the southwest corner of lot No. 448; thence by the southeast side lines of lots Nos. 448 and 434 to the southeast corner of the said lot No. 434; thence to the northwest by the northeast side line of the said lot No. 434 to the brow of the hill; thence to the northeast, following the brow of the hill by the southeast line of lots Nos. 431, 432, 432a, 433, 415, 414, 411, 410, 409, 408, 407, 406, 405, 404, 403, 402, 401, 400, 399, 398, 388, 378, 377, 374, 373, 372, 371, 370, 369, 368 and 364 to the southeast corner of lot No. 360; thence to the southeast by the southwest line of No. 359, of a road and of Nos. 356, 357 and 358 (about twenty-six arpents) to the depth of lot No. 358; thence in depth towards the east by the width of the said lot No. 358 to the southeast corner of such lot; thence to the northwest by the northeast side line of the said lots Nos. 358, 357, 356, by the northeast and northwest side lines of No. 354 and by the northeast side line of lots 352, 351, to the brow of the hill; thence by the northeast following the brow of the hill by the southeast or rear lines of lots Nos. 330a, 332, 320, 319, 317, 316, 313, 312, 311, 306, 305, 304, 303, 302, 294, 293, 292, 291, 290, 289, 280, 278, 277, 276, 275, 274, 273, 272, 271, 264, 263, 262 and 261 to the southeast corner of lot No. 260; thence to the southeast by the southwest line of lot No. 233 (in the prolongation of the line between the parishes of St. David and Notre Dame) to the depth thereof; thence to the east and southeast partly by the south rear line and partly by the southwest rear line of the said No. 233; thence in the same alignment by the southwest side of a street situated in front of lots Nos. 224, 221, 220, 217, 216, to St. George's road; thence to the southeast by the southwest side line of lot No. 655 (formerly the Tibbits property), an average depth of four arpents and six perches, to the Government road; thence to the northeast by the northwest line of the said road, about one arpent and nine perches; thence to the northwest by the northeast side of the said lot No. 655 to the St. George's road; thence by the northwest side of the said St. George's road to Tibbits street; thence to the northwest by the northeast line of Tibbits street and of Nos. 164, 163, 162, 161, 160, 159, 158, 157, 156, 155, 154, 153, 152 and 146 to the brow of the hill; thence to the northeast, following the brow of the hill by the southeast line of lots Nos. 120, 119, 118, 117, 116, 115, 114, 114a, 110, 109, 103, 102, 101, 91 and 90 to the south-

east corner of No. 89; thence to the northeast following the brow of the hill between St. Lawrence ward and Notre Dame ward by the east and southeast or the rear lines of lots Nos. 80, 79, 78, 77, 69, 68, 64a, 64, 63, 59, 58, 57, 56, 55, 54, 51, 50, 49, 48, 46, 45, 41, 40, 39, 38, 37, 36, 35, 34 and 1 to Davidson's Hill; thence to the west and north, by the southwest and west sides of the said Davidson's Hill to the line between Nos. 17 and 18; thence by the prolongation to the east of the line between lots Nos. 17 and 18 across the public highway and the slope to the brow of the hill; thence to the north, following the brow of the hill between St. Lawrence and Notre Dame wards by the east line and the depth of lots Nos. 1a and 1b to the southeast corner of the said lot No. 1b; thence to the northwest by the northeast side line of lots Nos. 1b, 4 and 3 crossing in the same alignment Davidson's Hill and Commercial street, to the depth of the said No. 3; thence to the west by a line dividing the former property of George Couture from No. 2, and by the prolongation of such line in deep water to a line at a depth of 40 feet of water at the point of departure.

Lauson ward is bounded as follows:

In front to the northwest by the river St. Lawrence at a depth of 40 feet at low water, starting from the prolongation in deep water of the northeast line of lot No. 473b, (formerly the property of Isidore Bégin), in a southwesterly direction to the prolongation of the southwest line of lot No. 406, (formerly the property of George Couture); thence to the east, partly by the said prolongation in deep water and partly by the southwest line of lots Nos. 406, 405, (formerly the property of George Couture), 404 and 403, crossing Commercial street and Davidson's Hill to the brow of the hill; thence to the northeast following the brow of the hill by the southeast line of lots Nos. 403, 486, 485, 483, 482, 481, 480, 479, 478, 476, 390, 389, 388, 387, 386, 385, 384, 383, 382, 381 and 380 to the northeast line of St. Peter street (now Notre Dame street); thence to the southeast by the northeast side line of St. Peter street to its intersection with Fraser street; thence to the northeast by the northwest side of Fraser street to the southeast corner of No. 328 to the southwest line of the former property of Thomas Fraser; thence to the southeast crossing the said Fraser street and following the said line, which is at the same time the southwest line of lots Nos. 312, 311, 310, 625, 624, 623, 622, 621, 620, 619, 618, 617, 290, 674 to 689 inclusively and 288 to the centre of St. George's road; thence to the northeast following the centre of the said St. George's street to the village of Bienville to the northeast line of the former property of Michel Bégin; thence to the northwest, following the said line, which is at the same time the northeast line of lots numbers 540, 538, 537, 536, 535, 534, 533, 532, 531, 530, 529, 528, 527, 526, 525, 524, 523, 522, 521, 520, 519, 518, 517, 516, 515, 514, 513, 512, 511,

510, 509, 508, 507, 506, 505, 504, 503, 502, 501, 500, 499, 498, 497, 496, 495, 494, 493, 492, 491, 490, 489, 488, 285, 23, 22, 21, 20, 1 and 2 to the brow of the hill; thence to the northeast following the brow of the hill by the southeast line of lot No. 473b to the southeast corner of the said lot (to the northeast line of the former property of Isidore Bégin), to the Rue du Fleuve; thence to the northwest following the said line from the northeast side of the said lot number 473b, to low water mark; and thence by its prolongation in deep water to the point of departure at a depth of forty feet at low tide.

Notre-Dame
ward,

Notre Dame ward is bounded as follows:

Starting from the brow of the hill at the southwest line of the former property of widow Olivier Duclos to the northwest corner of lot No. 1168 in a southeasterly direction by the southwest line of lots Nos. 1168 to 1190 inclusively, 1192 to 1207 inclusively, 1209, 1210, 1220 and 1221 to the southern boundary of the former property of F. Fortier, being the southwest corner of lot No. 1221; thence to the northeast by the southeast line of lots Nos. 1221, 1222, 1239, 1240, 1266, 1265, 1286, 1285, 1284, 511, 510, 509, 494, 483 and 482 to the former property of Julien Chabot which is the southeast corner of lot No. 482; thence along such line to the northwest by the northeast line of lots Nos. 482, 481 and 480 to the centre of St. George's road; thence to the northeast following the centre of the said St. George's road to the southwest line of the former property of Thomas Fraser; thence along such line to the northwest by the northeast line of lots Nos. 234, 233, 231, 230, 7, 6, 5a, 5, 4, 3, 2 and 1, prolonged to the northwest side of Fraser street; thence between Notre Dame and Lauzon wards to the southwest by the northwest side of the said Fraser street to the northeast side of St. Peter street (now Notre Dame street); thence to the northwest by the northeast side of St. Peter street to the brow of the hill; thence to the southwest following the said brow of the hill by the northwest line of lots Nos. 66, 111, 580, 582, 584, 585, 588, 590 and 591; thence between Notre Dame and St. Lawrence wards following the same direction and the same brow of the hill by the northwest line of lot No. 593 to the prolongation of the line between lots Nos. 17 and 18 of St. Lawrence ward; thence to the west, following the said prolongation across the cliff and Davidson's Hill to the west side of the said Davidson's Hill between lots Nos. 17 and 18; thence, following the west and south sides of the said Davidson's Hill, to the northwest corner of lot No. 676; thence to the southwest, following the brow of the hill by the northwest line of lots Nos. 677, 678, 679, 789, 791, 852, 853, 930, 931, 1004, 1005, 1096, 1097 1098, 1167 and 1168, to the point of departure.

§ added to 3
Ed. VII, c.
38, art. 28.

12. The following paragraph is added, for the town, after article 28 of the Cities and Towns' Act, 1903:

"Nevertheless, article 847 of the Municipal Code, as contained M. C., 847, in article 6185 of the Revised Statutes of Quebec, shall not apply to the town of Levis."

ELECTION OF MAYOR AND ALDERMEN

13. The municipal council consists of a mayor and ten aldermen, four of whom represent Notre Dame ward, three Lauzon ward, and three St. Lawrence ward, and they are elected in the manner and for the period prescribed by this act.

Composition of council.

14. The first general election of mayor and aldermen shall take place in 1907. The second general election shall take place in 1909, and the subsequent elections shall afterwards take place, every two years, on the day specified in the Cities and Towns' Act, 1903.

General election of mayor and aldermen when held.

15. The nomination for the first general election shall take place on the twentieth day of January or on the following day if such day be a non-juridical one, and the polling, if any be necessary, shall take place on the first juridical day in February.

Nomination and polling for first general election.

16. The returning-officer for the first general election shall be the clerk then in office.

Returning officer for first general election.

17. The first sitting of the council shall be held in the town hall at the hour fixed by the town clerk, within the fifteen days following the coming into force of this act.

First session of council.

18. Article 169 of the Cities and Towns' Act, 1903, respecting the deposits to be made by candidates at municipal elections shall not apply to the town of Levis.

Certain provisions of 3 Ed. VII, c. 38, art. 169 not to apply.

19. Notwithstanding the provisions of article 386 of the Cities and Towns Act, 1903, of article 4616a of the Revised Statutes, and of section 4 of the act 53 Victoria, chapter 47, the council shall have the right to fix and determine, by by-law, the width of streets within the limits of the town.

Power of council to fix width of streets.

20. Paragraph 32 of article 386 of the Cities and Towns' Act 1903, is replaced for the town by the following:

Id. 386, § 32, replaced for town.

" 32. To regulate the planting, rearing, preserving, mutilating or removal of ornamental trees in and from the streets, squares and parks of the municipality; to compel proprietors to plant trees in front of their property, under the direction of an officer of the municipality; to authorize such officer to cause such planting, cultivation, mutilation or removal to be made, and to

Ornamental trees, &c., in streets, &c.

exact the cost thereof from such proprietors, in case the latter shall refuse or neglect to comply with the order of such officer."

§ added to
id., 386, after
10.

21. The following paragraph is added, for the town, after paragraph 10 of article 386 of the Cities and Towns' Act, 1903:

Roads on ice
bridge be-
tween Que-
bec and Le-
vis.

"10a. To forbid all persons to make or establish any road or roads or parts of roads on the ice bridge on the river St. Lawrence, between Quebec and Levis, within the limits of the town of Levis and as far as the middle of the river St. Lawrence, other than the roads established, fixed and defined by the said corporation, on pain of the fines and penalties enacted by the by-laws in force in that respect."

Id., 396 and
397, replaced,
for town.

22. Articles 396 and 397 of the Cities and Towns' Act, 1903, are replaced, for the town, by the following:

Imposition
of taxes for
water-works,
&c.

"**396.** The council may, by by-law, with the object of meeting the interest on the sums expended in the construction of the water-works, sewers, public wells, cisterns or reservoirs, including those now in course of construction, and of establishing a sinking fund, impose, by by-law, on all the owners or occupants of taxable immoveables, whether there be any buildings or structures thereon or not, an annual special tax at the rate to be fixed by it, on the assessed value of such immoveables. The sinking fund created by this article shall be invested and administered like that mentioned in article 520.

Investment,
&c., of sink-
ing fund.

Upon what
property tax
levied.

"**397.** Such special tax is imposed and levied, even in the case of the owners or occupants of such immoveables not availing themselves of the water from the water-works."

Id. 398, § 3,
replaced, for
town.

23. Paragraph 3 of article 398 of the Cities and Towns' Act, 1903, is replaced, for the town, by the following:

Water rate.

"3. To establish the rate for water, in addition to the special tax mentioned in article 396, and to declare that such tax shall be payable by the proprietor or occupant of the immovable without prejudice to his right to recover the same from his tenant; to provide hydrometers to be placed in buildings and establishments, for the purpose of determining and measuring the quantity of water used therein; and to fix the amount to be paid for the water and rent of meters."

FERRY BETWEEN QUEBEC AND LEVIS

Article
added after
id., 424, for
town.
By-laws re-
specting

24. The following article is inserted, for the town, after article 424 of the Cities and Towns' Act, 1903:

"**424a.** The town of Levis shall have power to make such by-laws as it may deem necessary respecting the ferry between the

town and the city of Quebec or any other place, and for imposing penalties against any person, company or ferryman who shall refuse or neglect to comply with such by-laws, and the revenue from such penalties shall belong to the town of Levis. Provided always that the city of Quebec, while having the right to grant the contract for the ferry between Quebec and Levis, subject to the conditions and formalities hereinafter set forth, and to grant a license to that effect for a period not exceeding nine years, shall be bound to pay to the town of Levis one-half of the proceeds of the revenue from the said license.

Moreover, the right to make and prepare by-laws for carrying out the powers conferred by law upon the city of Quebec and the town of Levis respecting the ferry between the city and the town shall be exercised jointly by their councils in the following manner, from the expiration of the present contract between the city of Quebec and the Quebec and Levis Ferry Company: a special committee consisting of three members chosen by the council of the city of Quebec and of three members chosen by the council of the town of Levis, convened by the mayor of the city of Quebec, at the city of Quebec, within a reasonable delay of not less than one year, before the expiration of the present contract and before the granting of a new one, shall alone have power to make by-laws respecting the conditions of such contract, the granting and the price of the ferry license, the fixing of freight and passenger rates and other conditions which the special committee may deem advisable to impose.

Such committee shall be presided over by one of its members elected by the majority of the members present and, in the event of the votes being equal in the selection of a chairman, he shall be selected by drawing lots. The chairman of the committee shall have the right to vote upon all questions, and, when the votes are equally divided, he shall have a casting vote.

The quorum of such committee shall be four.

Such by-laws shall come into force after having been approved by the corporation of the city in the manner indicated by law and by the by-laws of the city of Quebec."

25. Every year, as soon as possible after the committees are struck, each committee shall prepare and submit to the council a statement of the amount it considers necessary for its expenses during the year, and the finance committee shall, at the same time, submit a statement of the probable revenue of the year. The council shall afterwards vote such appropriations as it deems sufficient to each committee for the payment of the expenses so foreseen, but it shall reserve an amount of at least five per cent. of its estimated revenue as aforesaid.

Committees
not to ex-
ceed appro-
priations.

26. No committee shall spend more than the amount placed at its disposal by the council and, when such amount is insufficient, it shall ask for an additional appropriation which can be granted solely upon the recommendation of the finance committee.

Approval of
accounts be-
fore pay-
ment.

In no case shall an account be paid without the approval of the members of the council sitting in committee of the whole.

Authoriza-
tion required
for payments
out of certain
funds, &c.

27. No payment can be made out of the reserve fund of five per cent. or of the balance of the amount of an appropriation without special authorization from the council, which may always alter the destination of a sum voted and apply the same to another object.

Duty of
council in
case of an
excess of ex-
penditure
over receipts.

28. It shall be the duty of the council at the beginning of the year following that in which there is an excess of expenditure over receipts, to provide for the payment of such deficit, either out of the receipts of the year, if they be sufficient, or by means of special assessments which shall be imposed and levied in the same manner as ordinary taxes.

Application
of moneys
derived from
sale of im-
moveables
belonging to
town.

29. The moneys derived from the sale of immoveables belonging to the town shall not be employed for any other purpose than the purchase of immoveable property, the redemption of the town debentures, the purchase of public securities of the Province or of Dominion or municipal debentures.

Art. added
to id., after
447, for town.

30. The following article is added, for the town, after article 447 of the Cities and Towns' Act, 1903:

Penalty for
giving false
certificate as
to amount of
rent paid,
&c.

"447a. Every proprietor or agent who shall willingly give a certificate or receipt for a sum less than the rent really paid for the premises therein mentioned or alluded to, and every tenant who shall present to the assessors any such certificate or receipt falsely representing the value of the amount of rent paid by him, in order to reduce the amount of his valuation, or who shall, directly or indirectly, deceive or endeavor to deceive such assessors respecting the amount of such rent, shall be liable to a fine not exceeding twenty dollars or to imprisonment of one month."

Art. added
to id., after
452, for town.

31. The following article is added, for the town, after article 452 of the Cities and Towns' Act, 1903:

Amendment
of roll if im-
moveable &c.
valued below
its real val-
ue.

"452a. If the council is of the opinion that any immoveable or taxable article has been valued below its real value in such a manner as to injuriously affect other ratepayers, it may amend the roll by itself fixing the value of such immoveable or taxable article at such figure as it may deem just and reasonable."

32. Article 459 of the Cities and Towns' Act, 1903, is replaced, for the town, by the following:

"459. An appeal lies to the Circuit Court of the district, but without prejudice to the recourse mentioned in article 336:

1. From any decision of the council upon a complaint under article 450, within thirty days from such decision; or

2. Whenever the council has neglected or refused to take cognizance of any written complaint made in virtue of article 450, within thirty days after the expiration of the delay in which it might have taken cognizance thereof "

Id. 459, replaced. for town.

Appeals to Circuit Court in certain cases.

33. The following article is added, for the town, after article 476 of the Cities and Towns' Act, 1903, and the last clause of paragraph 2 of the said article 476 is struck out:

"476a. Every person occupying a property or part of a property whereof he is neither owner or tenant, is liable for the payment of the tax mentioned in paragraph 2 of article 476, taking as the basis of the tax the annual value of the property.

Such tax may, however, be claimed from the owner of property leased or occupied with a privilege upon the immovable holding the same rank as upon immoveable property.

The proprietor who has paid the tenants' tax shall, *pleno jure* and without reserve, be subrogated and substituted in and to the rights and privileges of the corporation, against such tenant or occupant for the recovery, by an action for debt before any competent court, of whatever he shall have so paid, in principal, interest and costs.

But, in the event of the insolvency of the tenant or occupant and the judicial distribution of his property, the corporation shall have the right to claim what is due to it upon the moveable assets of the insolvent, as if the corporation itself had no recourse in warranty against the proprietor under this act."

Art. added to id. after 476, for town, &c.

Occupants of property liable to tax under id., 476, § 2.

Claim against proprietor for such tax.

Subrogation of proprietor in corporation's rights, if he has paid tenants taxes.

34. The following article is added, for the town, after article 479 of the Cities and Towns' Act, 1903:

"479a. In all cases where the council is authorized by law to impose a tax or taxes upon an agency or agent of any person, company or partnership whatsoever, whether incorporated or not, doing and carrying on any trade or business or banking or commercial operations whatever in the town, such tax or taxes may be claimed or sued for in the manner aforesaid, against the agency or agent of such person, company or partnership in the said town."

Art. added to id., after 479, for town.

Claim against agent for certain taxes due by principal.

35. Article 490 of the Cities and Towns' Act, 1903, is replaced, for the town, by the following:

Id. 490, replaced, for town.

School assessment roll and collection of taxes thereunder, &c.

" 490. The council may, on the requisition of the school commissioners or trustees of any school municipality situated within the limits of the municipality, accept the school assessment roll or the certified extract therefrom presented by them, and order the clerk to collect such taxes, in the same manner and at the same time as municipal taxes."

Id. 498, replaced, for town.

36. Article 498 of the Cities and Towns' Act, 1903, is replaced, for the town, by the following:

Order of judge required to stay proceedings on sales.

" 498. The sale above-mentioned shall be suspended only upon the filing of an opposition to the sale accompanied by an order to stay proceedings from a judge of the Superior Court and, in such case, the clerk shall make a report of all his proceedings, including the documents in his hands, to the clerk of the Circuit Court or to the prothonotary of the Superior Court, according to the amount of taxes due, where proceedings shall be taken upon such opposition in the manner set forth in the Code of Civil Procedure in such matters.

Proceedings thereafter.

Deposit of surplus.

If there be a sale, and the proceeds of the sale be greater than the amount of the taxes due and the costs incurred by reason of such sale, the balance shall be deposited in the hands of the prothonotary of the Superior Court or of the clerk of the Circuit Court of the district, as the case may be, to be distributed to the persons entitled thereto according to law.

Distribution of moneys, how made.

The proceedings to be had in connection with such sales and with the distribution of the moneys derived therefrom, after payment of the taxes and costs as aforesaid, shall be those authorized by the Code of Civil Procedure in similar cases.

Application of article to sales under id., 500 and following.

The provisions contained in this article shall also apply in the case of the sale of immoveables provided for by articles 500 and following, except that, in the case of the sale of immoveables, the report of the clerk shall always be made to the prothonotary of the Superior Court and the distribution of the moneys levied shall be made by the prothonotary."

Id., 499, replaced, for town.

37. Article 499 of the Cities and Towns' Act, 1903, is replaced, for the town, by the following:

Suits for recovery of taxes.

" 499. The payment of municipal taxes and of moneys due the corporation may be recovered by a suit brought in the name of the corporation, before any court of competent jurisdiction."

Id., 520, amended, for town.

38. Article 520 of the Cities and Towns' Act, 1903, is amended, for the town, by adding the following clause at the end thereof:

Issue of promissory notes not ex-

"Nevertheless, the council may, by resolution, authorize the issue of promissory notes, signed by the mayor and the treasurer, payable at such places and on such terms and conditions as

it may deem expedient, for the purpose of paying current expenses and accounts to an amount not exceeding in all six thousand dollars; and such notes shall in all cases be paid during the fiscal year following that in which they have been given, either out of the general funds of the corporation or by means of special assessments. The loans effected by means of such notes shall not be subject to the approval of the vote of the proprietors or ratepayers of the municipality, notwithstanding the provisions of this act."

ceeding certain amount authorized.

Approval of loans by ratepayers not required.

39. Article 525 of the Cities and Towns' Act, 1903, is replaced, for the town, by the following:

Id., 525 replaced, for town.

"**525.** Loans, whether by issue of bonds, obligations or debentures or otherwise, are made only under a by-law of the council to that effect, approved by a majority in number and real value of the proprietors who are municipal electors and who have voted. Nevertheless, such approval of the electors shall not be required for the loans required to complete the work now being done in connection with the construction of water-works and a sewerage system in Notre-Dame and Lauzon wards and in part of St. Lawrence ward, nor for the purpose of borrowing a sum of eighty-five thousand dollars required for the redemption of debentures matured and due to the amount of forty thousand dollars, and for the fulfilment of obligations already contracted and not paid amounting to forty-five thousand dollars."

Approval required for issue of bonds, &c.

Approval not required for certain loans.

40. The following article is added, for the town, after article 526 of the Cities and Towns' Act, 1903:

Article added after id., 526, for town.

"**526a.** Nevertheless article 526 shall not have the effect of restricting the rights and powers conferred upon the corporation of the town, by paragraph 3 of section 13 of the act 2 Edward VII, chapter 53, to borrow a sum not exceeding five hundred thousand dollars for the construction and maintenance of a system of water-works and sewerage in the town. It shall be lawful for the corporation to borrow any sum of money to that amount necessary for the construction of such system of water-works and sewerage in any part of the town where there is none already or where it is about being introduced."

Certain powers not affected by id., 526.

Power of council respecting borrowing for certain purposes.

41. Article 543 of the Cities and Towns' Act, 1903, is replaced, for the town, by the following:

Id., 543, replaced, for town.

"**543.** The penalties imposed by the by-laws of the council or by the provisions of this act are recoverable before the Circuit Court or Superior Court, according to the amount thereof, before a district magistrate of the district within the limits of which

Suits for penalties before what courts brought.

they have been incurred or before a justice of the peace, if there be one, residing in the municipality, if not, before any justice of the peace residing in a neighboring municipality in the district."

Id., 546, replaced, for town.

Who may prosecute.

R. S. 5716, &c., not to apply.

Who may prosecute for infringement of by-laws respecting ferry between Quebec and Levis.

Agreement of May 29, 1902 with Grand Trunk Railway Company not affected.

Coming into force.

42. Article 546 of the Cities and Towns' Act, 1903, is replaced, for the town, by the following:

"**546.** Such prosecution may be brought by any person of age in his own name or by the corporation, and the provisions of articles 5716 and following of the Revised Statutes shall not apply to prosecutions for fines imposed under the provisions of this act.

The town, as well as any ratepayer of the town in his own personal name, shall have the right to sue by action for debt before any competent court for the recovery of any fines or penalties incurred through the infringement of the by-laws of the city of Quebec respecting the ferry between Quebec and Levis."

43. Nothing contained in this act shall affect the arrangement entered into on the twenty-ninth May, 1902, between the corporation of the town of Levis and the Grand Trunk Railway Company respecting the payment of taxes by the said company to the town.

44. This act shall come into force on the day of its sanction.

CHAP. 50

An Act to amend the charter of the town of Fraserville, 1903

[Assented to 9th March, 1906]

Preamble.

WHEREAS the corporation of the town of Fraserville has by its petition represented that it is in the interest of the proper administration of the town that certain amendments be made to its charter, the act 3 Edward VII, chapter 69, and whereas it is expedient to grant its prayer to that effect contained in the said petition;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

3 Ed. VII, c. 69, art. 7, replaced.
R.S., 4194 to 4196 and 4231, replaced for town.

1. Article 7 of the act 3 Edward VII, chapter 69, is replaced by the following:

"**7.** Articles 4194, 4195, 4196 and 4231 of the Revised Statutes are replaced, for the town, by the following:

There shall be elected every year, in the manner hereinafter mentioned, one councillor for each of the various wards of the town. The councillors so elected for the time being, with the councillors elected in the previous year, and the mayor, shall constitute the council mentioned in article 3, provided the number of such councillors shall never be less than six.

Election of
councillors
annually.

Every second year, in the manner hereinafter prescribed, a duly qualified person shall also be elected who shall be called the mayor of the town of Fraserville.

Election of
mayor every
second year.

In the event of two councillors of the same ward going out of office at the same time, it is enacted that, in such case, the choice of the councillor who is to go out of office shall be determined by lot at the last sitting of the council previous to the election, in order that there may be only one councillor elected each year for each of the wards as aforesaid.

Retiring of
councillors.

The present provisions shall apply to the mayor and councillors who at present constitute the council of the said town."

Application
to present
mayor and
councillors.

2. Article 11 of the act 3 Edward VII, chapter 69, is replaced by the following:

3 Ed. VII, c.
69, art. 11,
replaced.

"11. Articles 4213 and 4215 of the Revised Statutes are replaced, for the town, by the following:

R.S., 4213
and 4215, re-
placed for
town.

No persons being in holy orders, nor the ministers of any religious belief whatever, nor the members of the privy council, nor judges, sheriffs, clerks of any court of justice, or their deputies, nor officers on full pay in His Majesty's army or navy, nor salaried civil functionaries, nor any person accountable for the revenues of the said town, nor its servants or employees receiving a monthly or annual salary, nor tavern-keepers, hotel-keepers, nor public boarding-house-keepers nor those of houses of public entertainment, being or having been such during the last twelve months, nor officers or persons presiding at the election of the mayor or the councillors, while so employed, nor persons who shall have been convicted of malfeasance or any criminal offence punishable by imprisonment for two years or more, nor persons having in person or through their partners any contract whatever or interest in any contract with or for the town, shall be capable of being elected mayor or councillor for the town, nor continue to act as such; provided always that no person shall become ineligible or become incapable of acting as mayor or councillor for the town, from the fact of his being a proprietor of or shareholder in any incorporated company which may have a contract or agreement with the said town.

Persons not
qualified as
mayor or
councillor.

Proviso.

The word 'contract' in this article does not apply to leases, sales or purchases of land, nor to any loan of money, nor to any agreement relating to any such contracts; the words 'judge,' 'clerks or their deputies,' used in this article, shall not mean

Words
defined.

justices of the peace or commissioners for the summary trial of small causes or their clerks or deputies."

3 Ed. VII, c. 69, art. 13, replaced.

3. Article 13 of the act 3 Edward VII, chapter 69, is replaced by the following:

R.S., 4196, replaced for town.

"13. Article 4196 of the Revised Statutes is replaced, for the town, by the following:

Expiring of term of office of mayor, &c.

The term of office of the mayor shall expire at the opening of the first session of the council held after every election for such office. The same rule shall apply to the other members of the council."

3 Ed. VII, c. 69, art. 27, replaced.

4. Article 27 of the act 3 Edward VII, chapter 69, is replaced by the following:

Term of office of councillors.

"27. The persons who shall be elected at the annual municipal elections as councillors for the town shall in all cases be elected for two years.

Term of office of mayor.

The mayor shall likewise be elected for the term of two years."

Art. added after id., 147. act:

5. The following article is added after article 147 of the said act:

Provisions, &c., to be sold on markets.

"147a. To require that provisions or produce, usually bought or sold on the public markets and brought into the town to be sold therein, be conveyed to the markets and be there exposed for sale, and that such provisions or produce be not offered or put up for sale, or sold, or bought in any other place in the town but on the public markets or market places; but the council may always order that its by-law on this subject shall be applicable in any specified part of the municipality."

Id., 183, amended.

6. Article 183 of the act 3 Edward VII, chapter 69, is amended by adding thereto the following:

Proprietors may be compelled to allow works to be performed.

"To compel owners or occupants of immoveables inside or outside the town and the adjoining municipalities to allow all necessary works for the construction, maintenance and repair of the electric light system to be done on their property, and the council may expropriate any land required for such purpose, saving indemnity for damages caused to such lands or property."

Id., 186, replaced.

7. Article 186 of the act 3 Edward VII, chapter 69, as replaced by the act 4 Edward VII, chapter 65, section 1, is again replaced by the following:

Issue of debentures for certain purposes.

"186. For the execution of the works mentioned in articles 175 to 184 inclusively, it shall be lawful for the town to issue debentures to an amount not exceeding four hundred thousand

dollars by complying with the provisions of articles 198 and following."

8. Article 220 of the act 3 Edward VII, chapter 69, is amended by replacing paragraph 3 by the following: Id., 220, amended.

"3. On each tenant paying rent in the town, an annual sum not exceeding seven and one-half cents in the dollar on the amount of his rent, and on each occupant or tenant farmer a sum not exceeding ten cents in the dollar on the annual value of his occupation." Tax on tenants, &c.

9. Article 234 of the act 3 Edward VII, chapter 69, is replaced by the following: Id., 234, replaced.

"**234.** If any person or persons should come temporarily into the town to carry on therein any business, trade or occupation, or to dispose wholly or in part of bankrupt or other stocks of merchandize, articles or effects, either by public auction or by private sale, the council may, by resolution passed as soon as convenient, levy upon such person or persons a license fee of not less than two dollars and not more than one hundred dollars for the sale of such merchandize so brought into and exposed for sale in the town." License for transient traders.

10. Article 235 of the act 3 Edward VII, chapter 69, is replaced by the following: Id., 235, replaced.

"**235.** Every person in the town, practising the profession of advocate, physician, dentist, civil engineer, land-surveyor, notary, or any other liberal profession, or acting as a civil officer appointed by the provincial or federal government, or as prothonotary of the Superior Court, or as clerk of the Circuit Court or sheriff, shall, for the same purposes, be assessed for an amount not exceeding five dollars yearly for each such profession or employment." Tax on professional men.

"**235a.** Every person employed in the service of the provincial or federal government or in the service of another, and whose salary is five hundred dollars or over, who is neither an owner nor a tenant in the town, shall be assessed at a sum not exceeding five dollars annually." Tax on provincial and federal employecs, &c.

The council may order the assessors to make the roll of the persons, industries, companies, employments, capacity and moveable property mentioned in the different parts of this act." Roll of persons taxed.

11. Article 273 of the act 3 Edward VII, chapter 69, is replaced by the following: Id., 273, replaced.

"**273.** The council may, in connection with every by-law it is empowered to make under the powers conferred on it, impose Imposition of penalties by by-law.

either a fine with or without costs or an imprisonment for each and every infringement of the by-laws; and if it be a fine with or without costs, it may order imprisonment in default of immediate payment of the said fine with or without costs, as the case may be, but, except in the cases for which it is otherwise provided, such fine shall not exceed one hundred dollars and such imprisonment shall not be for more than two months; and, when imprisonment is ordered for default of payment of the fine or of the fine and costs, such imprisonment shall cease on payment of the fine or of the fine and costs.

Separate
offences.

If the infringement of the by-law continues, this shall constitute a separate offence day by day.

Costs.

The costs above mentioned include, in all cases, the costs connected with the execution of the judgment."

Art. added
after id., 299

12. The following article is added after article 299 of the act 3 Edward VII, chapter 69:

Arts. 555 to
605 of 3 Ed.
VII, c. 38, to
apply to
town, its
councillors
and officers.

"299a. Articles 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604 and 605 of The Cities and Towns' Act, 1903, being the act 3 Edward VII, chapter 38, shall apply to the town of Fraserville, to its council and to its officers."

Coming into
force.

13. This act shall come into force on the day of its sanction.

CHAP. 51

An Act to amend the charter of the town of St. Germain de Rimouski

[Assented to 9th March, 1906]

Preamble.

WHEREAS the corporation of the town of St. Germain de Rimouski has, by petition, represented that it is in the interest of the proper administration of its affairs that its charter, the act 4 Edward VII., chapter 64, be amended, that all the interested parties have consented to the said prayer; and whereas it is expedient to grant the same;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

3 Ed. VII, c.
38, art. 518,
replaced for

1. Article 518 of the Cities and Towns' Act, 1903, is replaced for the town, by the following:

"31a. Subject to articles 4643d and following of the Revised Statutes, the council may, by a resolution, exempt from municipal taxes, for a period not exceeding twenty years, any person who carries on any industry, trade or enterprise whatsoever, or agree with such person for a fixed sum of money, payable annually, for any period not exceeding twenty years, in commutation of all municipal taxes.

Exemptions of certain persons from taxation.

It may exempt the poor of the municipality from the payment of taxes.

Id. of the poor.

The exemptions or agreements authorized by this article shall not extend to work upon water-courses, bridges, water-works, public lighting, boundary ditches, sewers, sidewalks, roads or streets, public places, public markets, or fire protection service, connected with taxable property so exempted or commuted."

Proviso.

2. Paragraph 2 of article 473 of the Cities and Towns' Act, 1903, is replaced, for the town, by the following:

Id., 473, § 2, replaced for town.

"31b. The proprietors, lessees, and occupants of the property mentioned in paragraphs (c), (d), and (e) of the said article 473 except cemeteries, hospitals and other charitable institutions, shall nevertheless be subject to the payment of any assessment made or to be made for the purpose of water-works, sewers, fire protection under the municipal by-laws, as well as for the payment for the use of water.

Proprietors of certain exempted property under art. 473 liable for certain assessments.

3. Article 523 of the Cities and Towns' Act, 1903, is replaced, for the town, by the following:

Id., 523, replaced for town.

"31c. Coupons to the amount of the half-yearly interest, bearing the lithographed or engraved signatures of the mayor and clerk or secretary-treasurer and payable to bearer at the period when the interest specified therein falls due, may be annexed to each bond, obligation or debenture.

Coupons for interest on bonds, &c.

At the time of payment, the coupons are handed to the treasurer; and the possession, by such officer, of any coupon, is *prima facie* evidence that the half-yearly interest specified therein has been paid."

To be handed to treasurer when paid.

4. Article 117 of the Cities and Towns' Act, 1903, is replaced, for the town, by the following:

Id., 117, replaced for town.

"31d. No person qualified to vote as proprietor, tenant or occupant is entitled to have his name entered on the electors' list for any of the wards of the municipality who, on the completion of the list, is indebted to the municipality for any taxes due for more than one year previous to the date of the completion of the list."

Persons in arrears for taxes for certain time not to be entered on electors' list.

Application
of id., 380, to
town, lim-
ited.

5. Article 380 of the Cities and Towns' Act, 1903, shall not apply to the said town otherwise than for the by-laws to be submitted to the approval of the electors.

Coming into
force.

6. This act shall come into force on the day of its sanction.

CHAP. 52

An Act to amend the charter of the town of Outremont

[Assented to 9th March, 1906]

Preamble.

WHEREAS the town of Outremont has, by petition, represented that it is in the interest of the proper administration of its affairs that certain amendments be made to its charter, and it is expedient to grant its prayer;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

ELECTION OF COUNCILLORS

58 V., c. 55,
arts. 11 to
13, 19 and
20, repealed.

1. Articles 11, 12, 13, 19 and 20 of the act 58 Victoria, chapter 55 are repealed.

R.S., 4229,
replaced for
town.

2. Article 4229 of the Revised Statutes is replaced, for the town, by the following:

Date for an-
nual elec-
tions.
Nomina-
tions.

The elections for the purpose of replacing councillors who go out of office shall be held each year; the nomination shall take place from nine to ten o'clock in the forenoon on the second Monday of January, and the voting, if necessary, from nine o'clock in the forenoon to five o'clock in the afternoon on the third Monday of the same month. If either of such days be non-juridical, the nomination or voting, as the case may be, shall be postponed to the following juridical day.

R.S., 4230 to
4246, 4248 to
4264, 4268,
4269, 4271
and 4272, not
to apply.

3. Articles 4230 to 4246 and 4248 to 4264, all inclusively, and articles 4268, 4269, 4271 and 4272 of the Revised Statutes, shall not apply to the town.

Certain
articles of
3 Ed. VII, c.
38, to apply
to election of
councillors.

4. Articles 158 to 164, articles 166, 167, 168, 171, 172 and articles 174 to 181, 184 to 193, 196 to 222 and 224 to 253, all inclusively, with the forms relating thereto, of the Cities and Towns' Act, 1903, shall apply to the town, but only in so far as concerns the election of councillors, and also with such modifications *mutatis mutandis* as may be required to make

them agree with the dates and hours governing the nomination and voting in the town.

5. When the returning officer receives any nomination-paper he shall, after examining it, declare at once whether he considers it valid and affix his declaration to that effect by writing over his signature the word "accepted" or the word "rejected" with, in the latter case, the reasons for rejecting the same. Such nomination-paper may then be corrected or replaced by another nomination-paper, so long as the delay for such nomination has not expired.

Reception of nomination-paper by returning-officer.

6. The returning officer shall establish a poll for each polling district.

Where voting to take place, &c.

7. Voting shall take place for each polling district in a room or building of easy access, having an outside door for the admission of electors and, if possible, another door by which they may go out after voting, and one or two compartments must be made in the room and so arranged that every voter shall be hidden from sight and shall mark his ballot-paper without interference or interruption by any person whomsoever; and a table or desk with a hard and even surface must be placed therein, so that the voter may mark his ballot-paper; and a suitable black lead-pencil must be supplied and kept properly sharpened the whole time of the voting for the use of the voters in marking their ballots.

8. The polls shall be opened at nine o'clock in the forenoon and remain open until five o'clock in the afternoon of the same day; and every deputy returning-officer is bound to receive during such time, in the poll assigned to him, in the manner herein after prescribed, the votes of the electors who are entitled to vote at such poll.

Opening and closing of poll.

9. As soon as possible after the expiration of the delay in which they should pay their taxes and assessments to qualify them to vote, the secretary-treasurer shall strike from the list of municipal electors, the names of those who have not paid their taxes and assessments, and such lists so amended shall be a proof of eligibility, until the coming into force of new lists.

Erasing of names on lists of electors of those who do not pay taxes, &c., before certain day.

10. Article 4270 of the Revised Statutes is replaced, for the town, by the following:

R.S., 4270, replaced for town.

The election expenses are defrayed by the corporation. The services of the returning-officer are gratuitous; nevertheless the council shall reimburse all just expenses incurred by him on account of the election, and may grant the deputy return-

Expenses of elections.

ing-officers and their poll-clerks and other persons employed in the holding of the election, a reasonable indemnity for their respective services.

POWERS OF THE COUNCIL

Certain by-law No. 72, declared legal and valid.

11. Whereas by-law No. 72 of the town, granting to the Montreal Street Railway Company an exclusive franchise and exemption from taxes for thirty years, was unanimously adopted by the council on the 20th December, 1905, and unanimously approved by the electors who are proprietors on the 8th January, 1906; and whereas doubts have now arisen as to the right of the town to grant such exclusive franchise and it is expedient to remove such doubts; it is enacted that the aforesaid by-law No. 72 is hereby declared legal and valid and ratified to all intents and purposes.

Granting of exclusive franchises.

12. Saving vested rights, the town may grant exclusive franchises for a period not exceeding thirty years, provided this be done by by-law adopted and published according to the procedure governing by-laws respecting loans.

General election in certain event, in certain wards.

13. In the event of its availing itself of the powers conferred upon it by the act 58 Victoria, chapter 55, section 18, the council may, by by-law adopted by two-thirds of its members, order a general election for the wards whereof the limits have been so altered.

Retiring of councillors, &c.

14. Of the councillors so elected, one for each ward, having been designated by lot, shall go out of office, and shall be replaced at the following annual election; the same shall apply to the other councillors so elected until one only remains for each ward, so as to maintain the actual system of retiring from office.

TAXES

63 V., c. 55, s. 25, repealed.

15. Section 25 of the act 63 Victoria, chapter 55, is repealed.

R.S., 4555, replaced for town.
Prescription of certain taxes.

Proviso.

16. Article 4555 of the Revised Statutes is replaced for the town by the following:

The right to recover moneys due to the town for annual, special or personal taxes is prescribed and extinguished by five years from the date at which such taxes become due, provided that, in the case of special assessments payable by annual instalments, the prescription shall begin to run only from the moment such instalments respectively became due.

PLANS OF THE TOWN

17. Section 53 of the act 58 Victoria, chapter 55, is re-
pealed.

58 V., c. 55,
s. 53, re-
pealed.

18. For the purpose of opening or widening any street, lane or public place indicated on the said plans or maps, the town may, by expropriation, notwithstanding any law to the contrary governing the town, or by mutual agreement, acquire and take possession of all the immoveables situated within the limits of the town required for the opening or widening of the said streets, lanes or public places. The town shall be bound to effect such opening or widening within two years following the presentation of a petition to the council to that end, signed by a number of proprietors owning more than one-half of the whole front line of any such street, lane or public place as indicated on said plans or maps or by those representing or administering the said bordering properties or who are interested therein as tutors, administrators, guardians, institutes, curators, trustees or in any other capacity; in any case the corporation shall be bound to expropriate within five years after application shall have been made to it in writing by any of the parties interested above mentioned, in default whereof the portion of the plan on account of which such a petition for expropriation has been made shall no longer be binding.

Expropria-
tion for cer-
tain pur-
poses.

When streets
&c., to be
opened, &c.

19. This act shall come into force on the day of its sanction.

Coming into
force.

CHÂP. 53

An Act to incorporate the town of Notre Dame de Grâces

[Assented to 9th March, 1906]

WHEREAS the corporation of the village of Notre Dame de Grâces West has, by petition, represented that it is desirable that an act be passed to erect its territory into a town municipality, and has prayed to be incorporated as a town, in accordance with the provisions of the Cities and Towns' Act, 1903, and to be given certain powers not granted by the said act; and whereas it is expedient to grant the prayer of the said petition;

Preamble.

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec. enacts as follows:

- Territory erected into a town.**
Name.
Name of corporation.
- 1.** The territory comprised within the limits of the present municipality of Notre Dame de Grâces West is erected into a town municipality under the name of the "Town of Notre Dame de Grâces", and the inhabitants of the said municipality are constituted a town corporation under the name of the "Town of Notre Dame de Grâces."
- Law to govern.**
- 2.** The town shall be governed by the provisions of the act 3 Edward VII, chapter 38, "Cities and Towns' Act, 1903," except in so far as the same may be derogated from by the present act or by such of its provisions as may be inconsistent therewith.
- Existing *procès verbaux*, &c.**
- 3.** All *procès verbaux*, assessment-rolls, title-deeds, by-laws, orders, lists, rolls, plans of the town, resolutions, ordinances, agreements, undertakings and all other municipal acts whatsoever, done and consented to by the council of the said village, shall continue to have full effect until repealed, amended, set aside or executed.
- Outstanding notes, &c.**
- 4.** All notes, bonds, securities or debentures, as well as all warranties and all contracts and undertakings whatsoever, subscribed, accepted, endorsed, issued or contracted by the said council, until the coming into force of this act, shall continue to have their lawful effect, notwithstanding the promulgation of the present act.
- Town succeeds to village in all its rights.**
- 5.** The town of Notre Dame de Grâces hereby established succeeds to all the rights and obligations of the village of Notre Dame de Grâces West.
- Valuation of farming lands, &c., in event of annexation to city of Montreal.**
- 6.** In the event of the annexation of the present municipality to the city of Montreal, all land under cultivation or farmed, or serving as pasturage for farm stock, and all uncleared land or wood land situate within the limits of the said municipality of Notre Dame de Grâces, all agricultural implements, farm stock, etc., used in farming such lands shall be valued for municipal purposes as farm property only and shall not be taxed by the said city of Montreal for such municipal purposes for any amount exceeding one quarter per cent. of their said valuation, so long as such lands, etc., shall be used for farming.
- First election under act.**
- 7.** The first election for aldermen in the town shall take place on the thirtieth day following the coming into force of this act.
- Returning officer for first election.**
- 8.** The returning officer for such first election shall be a person appointed by the Lieutenant-Governor in Council.

9. The territory of the town shall be divided into seven wards, as hereinafter set forth: Division into wards:

Ward No. 1 shall comprise all the territory bounded as follows: Ward No. 1; to the southeast by the Lachine canal, on the northeast by the Côte Saint Paul road, on the northwest by the Lachine road, on the southwest by the division line between the official numbers 176 and 177 of the parish of Montreal and the prolongation of such line to the Lachine canal;

Ward No. 2 shall comprise all the present territory of the town situate to the northeast of the Notre Dame de Grâces road and the prolongation of the said road to the northwest limits of the town, and bounded on the northwest by the northwest limits of the town and to the southeast by the Upper Lachine road; Ward No. 2;

Ward No. 3 shall comprise all the territory situate to the southwest of the Notre Dame de Grâces road and its prolongation extending to the northwestern and southwestern limits of the town, and bounded on the south by the Côte Saint Luc road; Ward No. 3;

Ward No. 4 shall comprise all the territory bounded to the north by the Côte Saint Luc road, to the northeast by the Notre Dame de Grâces road, to the southeast by the Upper Lachine road, to the southwest by the division line between the official numbers 176 and 176b on one side, and on the other by Nos. 66, 176a and 177 of the parish of Montreal and the prolongation of the said line to the Lachine canal; Ward No. 4;

Ward No. 5 shall comprise all the territory bounded by the southwest limits of No. 4 and extending to the northeastern limits of lot No. 156 of the parish of Montreal and the prolongation of such line to the Lachine canal and on the northwest and southeast by the limits of the town; Ward No. 5;

Ward No. 6 shall comprise all the territory bounded to the northeast by ward No. 5, to the southwest by the division line between Nos. 147 and 149 of the parish of Montreal and its prolongation to the Lachine canal, on the northwest and southeast by the limits of the town; Ward No. 6;

Ward No. 7 shall comprise all the territory bounded on the northeast by lot No. 6, on the northwest, southwest and southeast by the limits of the town. Ward No. 7.

10. Each of such wards shall be represented by one alderman. Representation of wards.

11. The mayor shall be chosen from among the aldermen, and be elected by them at the first general or special meeting of the council held after the general elections for aldermen or after any vacancy in the office of mayor. Election of mayor.

3 Ed. VII, c.
38, art. 108,
replaced, for
town.
Qualification
of mayor and
aldermen.

12. Article 108 of the Cities and Towns' Act, 1903, is replaced, for the town, by the following:

"**108.** No person shall be either nominated or elected mayor or alderman or occupy such office unless he, during the twelve months immediately preceding the day of his nomination, has been seized of and has possessed, as proprietor, in his own name or in that of his wife, immoveable property in the municipality of the value of five thousand dollars, after payment or deduction of all charges imposed thereon; such qualification required by this article to be established by the valuation roll in force at the date of the nomination."

By-law for
determining
line of build-
ings, &c.

13. In addition to the powers conferred by article 383 of the aforesaid act, the council may make, amend and repeal by-laws for the purpose of determining the line of buildings, and fixing places where such buildings, houses and dependencies shall be erected.

Id., 475, re-
placed for
town.

14. Article 475 of the said act is replaced, for the town, by the following:

Taxation of
certain lands.

"**475.** All land under cultivation or farmed or used as pasture for cattle, as well as all uncleared land or wood lots within the limits of the municipality, shall be taxed for an amount not exceeding one-quarter of one per cent.

Amendment
of valuation
roll in case
of building
lots being
detached
from farm
lands.

The council may cause to be added to the valuation roll or to be struck therefrom, at any time, by the assessors in office on the valuation by them made, any portion of such land which has been detached therefrom as a building lot, and shall thus have become liable to taxation after the closing of the valuation roll, and to exact the said tax as upon all other lots entered on the said roll."

Id., 519, re-
placed for
town.

15. Article 519 of the said act is replaced, for the town, by the following:

Power to
borrow for
certain pur-
poses.
Proviso.

"**519.** The council may borrow, from time to time, various sums of money for improvements in the municipality and generally for all objects within its jurisdiction, provided the aggregate amount of such loans shall not amount to a total representing more than ten per cent. of the value of the taxable immoveables of the municipality entered on the valuation roll."

Id., 525, re-
placed for
town.
How loans
effected.

16. Article 525 of the said act is replaced, for the town, by the following:

"**525.** Loans, whether by the issue of bonds, obligations or debentures or otherwise, for any amount exceeding that mentioned in the foregoing article are only made under a by-law of the council to that effect, approved by a majority in number

and in real value of the proprietors who are municipal electors and who have voted."

17. Article 531 of the said act is replaced, for the town, by Id., 531, replaced, for town.

"**531.** Subject to the application of articles 519 and 525 of the act 3 Edward VII, chapter 38, as amended by this act, every by-law authorizing a loan shall be submitted for the approval of the electors, in accordance with articles 354 to 367 of this act, within thirty days after the council has passed the same." Approval required of by-law authorizing loans.

18. The act 40 Victoria, chapter 40, is repealed; the act 4 Edward VII, chapter 68, shall in future be read as applying to the town of Notre-Dame de Grâces instead of the village of Notre-Dame de Grâces West. 40 V., c. 40, repealed, and application of 4 Ed. VII, c. 68, to town.

19. It shall be lawful for all owners of lots immediately adjoining and contiguous to the limits of the town of Notre Dame de Grâces and situate in a rural municipality, upon notice being given by such owners to the municipal authorities of the town, and with the consent of the said authorities, signified by a by-law passed by them to that effect in the usual manner, to ask and obtain that such owner or owners be included within the town limits, and so on in succession in the case of other owners of property adjoining property so successively included within the town limits as aforesaid; and, when the including of such lots shall have been declared by by-law as above prescribed, the said owners, whose properties shall be so included within the town limits, shall have and possess all municipal privileges, and be subject to all the by-laws, obligations, duties and charges imposed on persons and property originally included within the town limits. Annexation of lots adjoining town.

20. Article 386 of the act 3 Edward VII, chapter 38, is amended, for the town, by adding the following clause thereto: 3 Ed. VII, c. 38, art 386, amended for town.

"**33.** To expropriate private streets or avenues that may exist or be opened on lands and lots situate in the municipality and charge the cost of such expropriation upon the owners of lots fronting or bordering on the said streets or avenues, provided such by-law be passed at the written request of the majority in number and in value of the owners of lots bound by this section to bear the cost of such expropriation." Expropriation of streets, &c.

21. This act shall come into force on the day of its sanction. Coming into force.

CHAP. 54

An Act to amend the charter of the town of Ste. Anne de Bellevue

[Assented to 9th March, 1906]

Preamble.

WHEREAS the corporation of the town of Ste. Anne de Bellevue has, by petition, prayed for certain amendments to the act 63 Victoria, chapter 57, and whereas it is expedient to grant its prayer;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

63 V., c. 57,
art. 9, § 7,
replaced.

1. Paragraph 7 of article 9 of the act 63 Victoria, chapter 57, is replaced by the following:

Power to
borrow
money on
resolution of
council.

"7. Borrow, on a mere resolution of the council, whenever it may deem advisable, by promissory note or otherwise, on such terms and conditions as it may deem best, sums of money, in the execution of all the powers, rights and attributes conferred upon it by its charter or by law and of all the duties and obligations devolving upon it.

Promissory
notes and
deeds.

The council may, in the same manner, for the same purposes, and to pay all debts or obligations, whenever it deems necessary, become a party to promissory notes or deeds.

Amount
limited.

But the amount of such sums of money and of such promissory notes or deeds shall not, at any time, exceed fifteen thousand dollars."

Id., 10, re-
placed.

2. Article 10 of the act 63 Victoria, chapter 57, is replaced by the following:

Signature to
notes, &c.

"**10.** All promissory notes, bills of exchange, cheques, debentures, contracts, agreements or deeds, made and passed by the town, shall be signed by the mayor or, in his absence, by the pro-mayor, and secretary-treasurer or by any other person designated by the council; and article 4207 of the Revised Statutes is hereby repealed for the town."

R.S., 4207,
repealed for
town.

63 V., c. 57,
art. 12, re-
placed.

3. Article 12 of the act 63 Victoria, chapter 57, is replaced by the following:

R.S., 4194,
replaced for
town.

"**12.** Article 4194 of the Revised Statutes is replaced for the town by the following:

Composition
of council
and term of
office.

The municipal council is composed of a mayor and of six councillors. The mayor and councillors are elected for two years."

4. Article 4195 of the Revised Statutes is repealed for the town. R.S., 4195, repealed for town.

5. Article 4196 of the Revised Statutes is replaced, for the town, by the following: R.S., 4196, replaced for town.

The term of office of the mayor shall end at the opening of the first general or special session of the council held after the annual general elections. The same rule applies to the councillors retiring from office at the term of such elections. When term of office of mayor and councillors expires.

6. Articles 17, 18, 19, 20, 21, 22, 23, 24, 25, 26 and 27 of the act 63 Victoria, chapter 57, are repealed. 63 V., c. 57, arts. 17 to 27, repealed.

7. Article 4229 of the Revised Statutes is replaced, for the town, by the following: R.S., 4229, replaced for town.

The general elections take place every second year in the month of January. When general elections take place.

The nomination takes place at nine o'clock in the morning on the second Monday of January; and the polling, when necessary, shall be held on the third Monday of the same month. Date of nomination and polling.

At each such elections a mayor and six councillors are elected. Election of mayor and councillors.

8. The first general election of the town council under this act shall be held in the month of January of next year, 1907, at which time all the councillors then in office, including the mayor, shall retire. A general election shall be held in all the wards according to the provisions of this act. First general election under act, when to be held.

Each ward shall be represented in the council by two councillors. The mayor shall be elected by the electors of the three wards. Representation of wards. Mayor elected by three wards.

9. There shall be for each ward two seats, numbered one and two respectively, represented by one councillor for each seat. The offices of councillor for each ward are designated by numbers one and two respectively. Two seats for each ward. Numbers thereof.

10. Article 4231 of the Revised Statutes is repealed for the town. R.S., 4231, repealed for town.

11. Article 4234 of the Revised Statutes is replaced for the town by the following: R.S., 4234, replaced for town.

The meeting of municipal electors for the election of mayor and councillors is held at the time fixed by the council and is opened at nine o'clock in the morning of the day fixed for that purpose. When meeting for election is held.

12. Articles 4235 and 4236 of the Revised Statutes are replaced for the town by the following: R.S., 4235 and 4236, replaced for town.

Appointment of presiding-officer, &c.

The council, by resolution, appoints the officer to preside over the general or partial elections, and appoints also a deputy presiding-officer and an election-clerk for each poll. In case a deputy presiding-officer or election-clerk cannot act, the presiding-officer appoints another to replace him.

63 V., c. 57, art. 28, replaced.

13. Article 28 of the act 63 Victoria, chapter 57, is replaced by the following:

R. S. 4237 replaced for town.

"28. Article 4237 of the Revised Statutes is replaced for the town by the following:

Nomination.

After opening the meeting, the presiding-officer shall nominate for each office of councillor all the persons nominated to such office in writing by at least seven municipal electors. Such nomination must be made by the electors of the ward to which such office relates."

63 V., c. 57, art. 29, replaced.

14. Article 29 of the act 63 Victoria, chapter 57, is replaced by the following

R.S., 4239, replaced for town.

"29. Article 4239 of the Revised Statutes is replaced, for the town, by the following:

Election by acclamation.

If, one hour after the opening of the meeting, only one person has been nominated as councillor for any ward, the presiding officer shall proclaim such person elected to such office."

63 V., c. 57, art. 30, replaced.

15. Article 30 of the act 63 Victoria, chapter 57, is replaced by the following:

R.S., 4240, replaced for town.

"30. Article 4240 of the Revised Statutes is replaced, for the town, by the following:

Poll for election of councillors.

If, one hour after the opening of the meeting, more than one person has been and remains nominated for any office of councillor, it shall be the duty of the presiding-officer to grant a poll for every ward wherein such office is contested."

R.S., 4241, replaced for town.

16. Article 4241 of the Revised Statutes is replaced, for the town, by the following:

Polls for election of mayor.

If one hour after the opening of the meeting, more than one person remains nominated as mayor, the presiding-officer shall grant a poll which shall be held in each ward of the town at the place fixed by the council.

R.S., 4242, repealed for town.

17. Article 4242 of the Revised Statutes is repealed for the town.

63 V., c. 57, art. 34, replaced.

18. Article 34 of the act 63 Victoria, chapter 57, is replaced by the following:

Interpretation of cer-

"34. In the application of the said articles to the elections to be held in virtue of this act, the words: 'returning-officer' in all

the said articles shall mean: 'the officer presiding the election,' the words: 'deputy returning-officer' shall mean 'the deputy-presiding-officer,' the words 'poll-clerk' and the words: 'Clerk of the Crown in Chancery' shall mean 'the secretary-treasurer of the town.'

19. Article 37 of the act 63 Victoria, chapter 57, is replaced by the following: 63 V., c. 57, art. 37, replaced.

"37. Article 4268 of the Revised Statutes is repealed for the town." R. S., 4268, repealed for town.

20. Article 38 of the act 63 Victoria, chapter 57, is repealed. 63 V., c. 57, art. 38, repealed.

21. Articles 40 and 41 of the act 63 Victoria chapter 57 are repealed. Id., 40 and 41 repealed.

22. Article 4489 of the Revised Statutes is replaced, for the town, by the following: R. S., 4489, replaced for town.

The council may make special arrangements with respect to supplying water to steam or other engines, breweries, distilleries, factories, slaughter-houses, tanneries, mills, livery-stables, hotels, boarding-houses, railway companies, as well as in other special cases. Agreements respecting supply of water to certain factories, &c., in town.

23. Article 4491 of the Revised Statutes is replaced, for the town, by the following: R. S. 4491, replaced for town.

The council may also make special arrangements for the supply of water, beyond the limits of the municipality, to any person, company, municipal or other corporation, provided that the persons with whom such arrangements are made comply with the by-laws respecting the management of the water-works. Agreements respecting supply of water to persons beyond limits of town on certain conditions.

24. Article 4492 of the Revised Statutes is replaced, for the town, by the following: R.S., 4492, replaced for town.

The council may oblige the owners or occupants of land, situate within the municipality or beyond its limits, to permit the work necessary for the construction and maintenance of the water-works to be executed on their property, saving indemnity for actual damage sustained as settled by experts. With the view of avoiding delay in the execution of the works, the town may thus take possession of such lands as it may need for the construction of the water-works before acquiring them by expropriation or otherwise, provided the town shall previously pay to the proprietor an amount equal to one-half the municipal valuation and, in the case of a portion of a lot, the municipal valuation of such portion of a lot shall be determined by the town assessors. Council may oblige proprietors to permit works for construction, &c., of water-works to be made on their property. Town may take possession of property before acquiring it by expropriation.

Acquisition of land beyond limits of town for water-works, &c.

The town may acquire any land outside its limits, which it considers of advantage for the establishing of water-works, sewers or lighting plant. The procedure followed for acquiring any land withing the town shall apply.

R. S. 4452, replaced for town.

25. Article 4452 of the Revised Statutes is replaced, for the town, by the following:

Power of council to make by-laws for establishment, &c., of system of sewers, &c.

The council may, from time to time, make, repeal, or amend by-laws for the establishment, construction and maintenance of a system of sewers which may be constructed by the town or otherwise as the council may deem advisable; for regulating the manner in which such sewers shall be made, both as regards private drains and public sewers, including accessories.

Where system may be constructed. Regulation of construction of private drains, &c.

Such system of sewers may be constructed in any street of the town or on or across any public or private land.

Private drains shall be constructed by the owners or by the town in such manner, with such materials and at such times as may be determined by the council; the cost of the maintenance of private drains shall be borne by the owners.

Removal of privies, &c.

The council may compel owners, within two years after the drains have been constructed, to remove the privies that may be on their lots, and it may also compel them to replace the same by water-closets and order that all lodgings be provided with the latter.

Certain articles of R. S. to apply to system of sewers.

26. Articles 4486, 4487, 4489, 4490, 4491, 4492 and 4493 of the Revised Statutes, as amended by this act, shall apply *mutatis mutandis* to the system of sewers.

Tax for making, &c. system of sewers upon owners of lands. Manner, &c., of imposing tax, &c.

27. The council is authorized to raise, by assessment, sufficient money to make or repair a system of sewers from all the owners of lands situate on the street in which a sewer is made.

The council may determine, as it may deem fit, the method and manner of imposing and collecting such taxes. Such tax may be apportioned over several years, but for a period not exceeding twenty years.

R. S., 4471, replaced for town. Lighting of town.

28. Article 4471 of the Revised Statutes is replaced, for the town, by the following:

Price to be paid by person using light, how determined.

The council may, by by-law, provide for the lighting of the town in any manner that may be deemed suitable, either by itself constructing a system of lighting or by making arrangements with any person, company or corporation that may supply such light. The price to be paid by each person who shall use such light shall be determined by a by-law of the council, even when the light is supplied by any one but the town.

The owners or occupants of houses, buildings or lands in the town are bound to permit the necessary pipes, lamps, wires and posts to be placed on their houses, buildings and lands, saving the payment of damages if any be occasioned thereby.

Owners, &c., of houses to permit placing of pipes. Proviso.

To avoid delay the works may be executed even before the the payment for damages is determined.

When works may be commenced.

29. Article 4486 of the Revised Statutes is replaced, for the town, by the following:

R. S. 4486, replaced for town.

The council may, by by-law, with the object of meeting the interest on the sums expended in the construction of water-works, sewerage and system of lighting and of establishing a sinking fund, impose, on all the owners or occupants, as the case may be, of immoveables, houses, shops or other buildings, an annual special tax not exceeding twenty-five cents per one hundred dollars on the municipal valuation of each such immoveable, house, shop or building.

Special tax for construction of water-works, sewerage and lighting system.

Limit of such tax.

The sinking fund created by virtue of this article shall be invested and managed in the same manner as that mentioned in article 4524 of the Revised Statutes.

Application, &c., of sinking fund.

30. Article 4523 of the Revised Statutes is replaced, for the town, as follows:

R. S., 4523 replaced for town.

The council may borrow, from time to time, various sums of money for improvements in the town and generally for all objects within its jurisdiction.

Power to borrow.

For the purpose of constructing water-works, a system of sewers and a system of lighting, including the expropriation expenses incurred for such work and all other accessories, the town is authorized to borrow such sums as it may deem necessary by means of an issue of bonds or debentures.

Power to borrow for constructing systems of water-works, sewers and lighting.

31. The loans mentioned in the foregoing article shall be effected in the manner indicated in articles 4523 to 4537, inclusively, of the Revised Statutes, as amended by the act 63 Victoria, chapter 57, articles 104, 105, 106 and 107.

How loans to be effected.

32. Loans effected by means of issues of bonds may be for a term not exceeding sixty years.

Sixty year bonds.

33. It shall, however, be lawful for the council to construct the said systems of water-works, lighting and sewers by means of moneys levied by direct taxation on the immoveables situate within the town.

Direct taxation for construction of systems of water-works, lighting and sewers.

34. Such tax may be levied by annual instalments and may be distributed over a period not exceeding twenty years.

How levied.

Plan of town and homologation thereof.

35. The plan of the town, as drawn up by J. L. Michaud, civil engineer, shall be the official plan of the town and be binding for all purposes whatsoever as soon as it shall have been homologated by the Superior Court of the district of Montreal. Such homologation shall be made upon a petition presented to the court after notice thereof has been inserted twice in an English and twice in a French newspaper published in the district. Eight days must elapse between the last publication and the presentation of the petition to the court.

Art. added to 63 V., c. 57, after 116.

36. The following articles are added after article 116 of the act 63-Victoria, chapter 57:

Agreements with adjoining municipal corporations.

"116a. The council may make any agreements or contracts with any adjoining municipal corporation respecting any municipal works in which the town and other municipal corporations may be interested.

Agreements respecting line of tramways, &c.

"116b. The town is authorized to make, by by-law, with any street railway company such arrangements as it may deem expedient for the establishment and operation of a line of tramways in the town and connecting the latter with Montreal or the adjoining municipalities.

Exclusive privilege for twenty-five years may be granted. Proviso.

For that purpose, the town is authorized to grant to such company an exclusive privilege and an exemption from taxation for a period not exceeding twenty-five years.

Such exemption from taxation shall not apply to the tax for the construction of the sewers, water-works, lighting system, nor to the supply of water and light."

§ added to id. art. 93 after 4.

37. Article 93 of the act 63 Victoria, chapter 57, is amended by adding thereto the following paragraph:

Farmers selling farm and garden stuff in town, &c.

"5. The town shall not, however, impose any tax on farmers and gardeners selling the produce of their farm or garden within the limits of the town."

Number of hotel licenses not to be increased except by by-law.

38. The town shall not increase the number of hotel licenses to a greater number than they are at present, which is five, without a by-law to that effect passed and approved of by two-thirds of the municipal electors voting.

Coming into force.

39. This act shall come into force on the day of its sanction.

C H A P. 55

An Act respecting the village of Boulevard Saint Paul.

[Assented to 9th March, 1906]

WHEREAS the municipal corporation of the village of Boulevard Saint Paul has, by its petition, represented that the provisions of the Municipal Code no longer meet the requirements of its inhabitants, and that, amongst other things, it has become necessary to establish sewerage within the limits of the municipality, and it has prayed for additional powers to that effect;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

1. In addition to the powers conferred upon it by the Municipal Code, the municipal council of the village of Boulevard Saint Paul, may make, repeal or amend by-laws:

a. To organize the system of sewerage of the municipality; to construct any public sewer; to impose a tax upon proprietors of immoveable property for the purpose of defraying the cost of such public sewer in any street whereon such proprietors own immoveables, including connection between such public sewer and the private drains of the proprietors, and the costs of the repairs to the pavements which may be necessary in consequence of the construction of such private drains; and to prescribe the manner in which such taxes shall be assessed, either in proportion to the extent of the frontage of such immoveables or otherwise, as well as the manner in which such taxes shall be levied;

b. To construct sewers in private streets and lanes whenever the interests of public health may require the same, without being bound to pay any damage or indemnity for the use of such streets or lanes, in consequence of such works;

c. To determine the period when private drains may be made; to prescribe the manner of making them, and the materials to be employed in their construction, the municipality itself to construct the same from the line of the street to the public sewer if it deem expedient; and to assess the costs of construction upon the proprietors;

d. To allow the municipality, when necessary, to place automatic safety valves on the connections of sewers for draining any land, the cost thereof to be borne in the manner to be determined by the council, and such costs to be recovered according to a statement drawn up by the inspector of the

Preamble.

Council of village may enact by-laws:

To organize a system of sewerage, &c.;

To construct sewers, &c., in private streets, &c.;

To determine when private drains may be made, &c.;

To allow of the placing by municipality of automatic

safety valves on connections for drainage, &c. municipality; and to provide also for the inspection of such safety valves by the municipality.

Who vote for certain purposes.

2. The proprietors of immoveables who are called upon to pay the cost of the work shall alone have the right to vote upon the approval or disapproval of one or more by-laws which may be passed, either for the purpose of determining the manner in which such works shall be done or of authorizing the borrowing of a sum of money intended for the execution of such works, subject to section seventh of chapter second of title first of book second of the Municipal Code.

Coming into force.

3. This act shall come into force on the day of its sanction.

CHAP. 56

An Act to incorporate the village of St. Joseph de Bordeaux and to change its name to that of the village of Bordeaux

[Assented to 9th March, 1906]

Preamble.

WHEREAS the corporation of the village of St. Joseph de Bordeaux has, by its petition, represented that, in consequence of certain improvements, the sale of a large number of lots as building lots, the construction within the near future of a number of residences in the said municipality, owing to the construction of water-works and the introduction of electric light into the said municipality, the provisions of the Municipal Code no longer meet the requirements of the inhabitants of the said village of St. Joseph de Bordeaux, and it has prayed that the general principles of the Cities and Towns' Act, 1903, be applied to the said municipality, and also for certain powers not granted by the said act;

Whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

Repeal of proclamation of March 21st, 1898.

1. The proclamation of the 21st of March, 1898, (*Quebec Official Gazette*, 1898, page 750), erecting into a distinct municipality and incorporating the village of St. Joseph de Bordeaux is repealed.

Name of village.

2. The municipality of the village of St. Joseph de Bordeaux

shall, from and after the coming into force of this act, bear the name of the: "Village of Bordeaux."

3. The municipality of the village of Bordeaux shall be bounded as follows: on the north, by the Rivière des Prairies; on the northeast, by the municipality of the village of Ahuntsic; on the southeast and southwest, by the parish of St. Laurent.

4. The inhabitants and ratepayers of the said municipality shall constitute a corporation under the name of: "the corporation of the village of Bordeaux," which shall not be deemed to constitute a new corporation; but it shall retain and continue to exercise all the rights powers and privileges which the corporation of the village of St. Joseph de Bordeaux possessed and exercised until the coming into force of this act, in the same manner as if such corporation had continued to exist under its original name, and it shall remain subject to the same obligations.

5. All *procès-verbaux*, assessment rolls, title deeds, accounts, dues, by-laws, orders, lists, rolls, plans, resolutions, ordinances, provisions or municipal acts whatever, passed by or consented to by the council of the former municipality of the village of St. Joseph de Bordeaux, are declared valid and shall continue to have full force and effect until repealed, amended, set aside or accomplished by the council of the village of Bordeaux or unless they be expressly inconsistent with this act.

6. All bonds, notes, obligations, covenants, undertakings and warranties whatsoever, lawfully subscribed, issued, done and contracted by the council of the said village until the coming into force of this act, shall continue to have their lawful effect.

7. The mayor and councillors of the former municipality of the village of St. Joseph de Bordeaux, in office when the present act comes into force, shall remain in office, as mayor and councillors of the municipality, until the election of their successors.

8. The provisions of the Cities and Towns' Act, 1903, shall apply *mutatis mutandis* to the corporation and to the municipality of the village of Bordeaux, except such as are specially excluded in this act.

9. Articles 45 to 66, both inclusively, and 106 to 301, also both inclusively, of the Cities and Towns' Act, 1903, shall not apply to the corporation of the village of Bordeaux.

Boundaries
of village.

Inhabitants
erected into
village mu-
nicipality.
Name of cor-
poration of
village.

Present pow-
ers, &c.

Existing *pro-
cès-verbaux*,
&c.

Existing
bonds, &c.

Present
mayor and
councillors.

Law to gov-
ern village.

3 Ed. VII, c.
38, arts. 45
to 66, and
106 to 301,
not to apply.

Certain articles of Municipal Code to apply.

10. Articles 93 to 99, both inclusively, and 101 to 125, both inclusively, 201 to 213, both inclusively, 276 to 285, both inclusively, and 291 to 364, also both inclusively, of the Municipal Code, respecting the municipal council, the persons liable to serve in municipal offices or exempt therefrom, and elections, shall apply to the municipality of the village of Bordeaux.

Power by by-law to render applicable articles excluded by section 9.

11. Nevertheless, it shall be lawful for the municipal council of the said village, at any time after the coming into force of this act, to adopt one or more by-laws decreeing the application to the corporation of the village of Bordeaux of articles 45 to 66, inclusively, and 106 to 301, both inclusively, of the Cities and Towns' Act, 1903, respecting the council, appointments to municipal offices, the list of electors and the elections. Until the adoption of such by-law the corporation of the village of Bordeaux shall be governed by the provisions of the Municipal Code in this respect.

Composition of council, &c., in event of bylaw declaring of 3 Ed. VII, c. 38. to apply;

12. In the event of the council adopting a by-law under the foregoing article declaring that the provisions of the Cities and Towns' Act, 1903, respecting the election of the mayor and councillors shall apply to the municipality of the village of Bordeaux, the council shall consist of a mayor and six aldermen, and the first election under the provisions of the Cities and Towns' Act, 1903, shall take place in the following manner:

Nomination of candidates;

a. The nomination of candidates shall take place on the fifteenth of September following the date at which such by-law shall have been adopted. If such day be a non-judicial day, it shall take place on the first judicial day following such date;

Polling:

b. If a poll be necessary the voting and election shall take place on the first judicial day of October after the nomination of the candidates;

Returning-officer;

c. The secretary-treasurer of the municipality shall act as returning-officer. In the event of his being unable to act the council may appoint a substitute;

Law to apply;

d. As regards the other formalities respecting the nomination of candidates, the right to vote and the voting, the provisions of the Cities and Towns' Act, 1903, shall apply;

First meeting of council;

e. The first general sitting of the council shall take place at the place where the sittings of the council are usually held in the municipality, on the Wednesday following the election return, and, if the mayor is to be elected by the council, it shall be presided over by one of the aldermen elected until the mayor has been appointed and sworn in;

Expiration of term of office of mayor, &c;

f. The mayor and councillors in office when the aforesaid by-law is adopted, shall remain in office until the first general election following the adoption of such by-law.

13. The following clause is added to article 402 of the Cities and Towns' Act, 1903, for the village of Bordeaux:

Nevertheless, whenever a house or building is at a distance of more than one hundred feet from the line of the street, the municipality cannot compel the proprietor to effect the connection between the water main and his house or building and it cannot exact the water tax. Nevertheless, the proprietors or occupants of such houses or buildings shall remain liable for the special tax mentioned in article 396 of the Cities and Towns' Act, 1903.

3 Ed. VII, c. 38, art. 402, amended for village. Proviso, for houses beyond certain distance from street.

14. In the event of the imposition of special taxes for improvements, the council may, by by-law or resolution, if it deem expedient, provide for the construction, out of the general funds of the municipality, of the portion of such improvement situate in or upon the portion of any street, lane, alley, square or public place intersected by any other street, lane, alley, square or public place or which would otherwise fall upon property exempt from taxation.

Construction of certain works by council.

15. The following paragraphs are added after paragraph 32 of article 386 of the Cities and Towns' Act, 1903, for the village of Bordeaux:

Paragraphs added after id., art. 386, § 32.

"33. Establish the line of buildings on lots abutting upon any street, road, avenue, highway, alley, park or lane within the limits of the municipality, between which lines and such street, road, avenue, highway, alley, park or lane, no building or part of building or dependency shall be established or built; and change the name of any street, road, avenue, highway, alley, park or lane within the limits of the municipality.

Establishment of line of streets for buildings.

"34. When a proprietor transfers, gratuitously, to the town a lot destined for a street across his property, the remainder of the property facing upon the new street may, by resolution of the council, be exempted wholly or in part from the assessments necessitated by the opening of such street, provided that the portion so exempted does not exceed one hundred and fifty feet in depth."

Exemption from taxes for opening streets in certain cases.

16. If an avenue or road not belonging to the municipality, but opened to the public and used as such and upon which building lots have been sold, requires repairs, the council may, upon a petition of one or more of the purchasers of such lots, compel the proprietor or proprietors of the said road or avenue to effect such repairs, and, if they be not effected within the delay prescribed by the council, the latter may have the repairs made at the cost of the said proprietor or proprietors; the costs thereof from the latter, unless such proprietors give the said road or avenue to the

Reparing of private avenues and roads.

Power to
borrow
money for
certain pur-
poses.

17. Notwithstanding any law to the contrary, it shall be lawful for the corporation of the village of Bordeaux to borrow, by resolution of the council, the sum required for the payment of the balance of the cost of the water-works and of the filtering and sewerage systems; but such sum shall not exceed ten thousand dollars.

Coming into
force.

18. This act shall come into force on the day of its sanction.

CHAP. 57

An Act to detach from the municipalities of St. Léon de Standon and St. Malachie, certain lots of the township of Buckland and to erect them into a separate municipality under the name of the "Municipality of the Parish of St. Nazaire de Dorchester."

[Assented to 9th March, 1906]

Preamble.

WHEREAS, by their petition, the following persons: J. C. Auger, priest; Louis Tanguay, Pierre Lachance, Nazaire Jolin, Charles Tremblay, Charles Dupont, Abraham Pelchat, Jean Labrecque, and Joseph Aubé, ratepayers, residing in the township of Buckland, have represented:

That it is expedient to detach, from the municipalities of the parishes of St. Léon de Standon and St. Malachie, in the county of Dorchester, the following lots of the township of Buckland: second range, from 29 to the half of 39, inclusively; 3rd, 4th, 5th and 6th ranges, from 29 to 40, inclusively, as well as the subdivisions of all said lots of the official cadastral plan and book of reference of the said parish;

That it is expedient that the said lots so detached be united to constitute a new and separate municipality under the name of the: "municipality of the parish of St. Nazaire;"

That there is already a mission with a Catholic church and a resident priest, known under the name of St. Nazaire, comprising the extent of territory formed by the lots above designated, and it is thus in the interest of all the ratepayers that a civil and separate organization be granted such territory included in the said mission;

Whereas it is expedient to grant such prayer;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

Certain ter-
ritory erect-

1. All that part of the municipality of the parish of St. Léon de Standon, being lots Nos. 35, 36, 37, 38 and half of 39, divided

by the middle of a road known under the name of Brochu road, of the 2nd range of the township of Buckland, and lots Nos. 35, 36, 37, 38, 39. and 40 of the 3rd, 4th and 5th ranges of the said township of Buckland and lots Nos. 33, 34, 35, 36, 37, 38, 39 and 40 of the 6th range of said township of Buckland, together with the subdivisions of all the said lots of the official cadastral plan and book of reference of the said parish of St. Malachie; and all that part of the municipality of the parish of St. Malachie, being lots Nos. 29, 30, 31, 32, 33 and 34 of the 2nd, 3rd, 4th, 5th and 6th ranges of the said township of Buckland, as well as the subdivisions of all the said lots on the official cadastral plan and book of reference of the said parish, are detached from the said municipality of the parish of St. Léon de Standon and from the said municipality of the parish of St. Malachie and shall cease to form part thereof, and are hereby constituted a new and distinct municipality, under the name of the "municipality of the parish of St. Nazaire de Dorchester." ed into a parish municipality.

2. The inhabitants and ratepayers of the said municipality of the parish of St. Nazaire shall constitute a corporation known under the name of the "corporation of the parish of St. Nazaire de Dorchester", and the said municipality and the said corporation shall have all the powers conferred upon a municipality and a parish corporation by the Municipal Code and shall also be governed by the Municipal Code. Constitution of corporation, name and powers.

CHAP. 58

An Act to amend the charter of the Quebec Central Railway Company

[Assented to 9th March, 1906]

WHEREAS the Quebec Central Railway Company has, by its petition, represented that it is desirous of extending its line of railway from Beauceville to the River Famine and further to the village of Langeville and thence along the water shed of the River St. John to a point at or near Cabano Station on the line of the Temiscouata Railway, with the right to connect with the said railway; and whereas it has set forth that such extension would greatly benefit the portion of the Province through which it would pass; Preamble.

Whereas the Quebec Central Railway Company has further represented, by its petition, that, owing to the spring inundations and floods in the Chaudiere Valley in the county of Beauce,

that portion of its line extending between Beauce Junction and Beauceville cannot be satisfactorily operated during the period of such floods, and in the interest of the said company and of the section of Beauce county dependent upon said branch line, it is desirable that the said extension should be diverted and reconstructed;

Whereas, for the purpose of accomplishing the above mentioned works, the company has prayed for power to issue mortgage bonds, debentures, or debenture stock with the priority and privilege hereinafter set forth, and with the consent of the bondholders to issue bonds to the extent of fifteen thousand dollars per mile on the whole of the main line, extension and branches;

Whereas the capital stock of the said company consists of twenty-seven thousand, seven hundred and ninety-four shares of twenty-five pounds sterling each, equivalent to six hundred and ninety-four thousand, eight hundred and fifty pounds sterling, and the said company are now in possession of eight thousand four hundred and forty-two shares of the said stock, equivalent to two hundred and eleven thousand and fifty pounds sterling delivered to them under judgment of the Superior Court at Quebec rendered on the fourteenth day of March, one thousand nine hundred and three, in a case in which the Quebec Central Railway Company was plaintiff and the Honorable J. G. Robertson was defendant, and under which judgment the said shares were declared to be the property of and belonging to the said company;

Whereas the said company are desirous of dealing with the said stock and of selling and disposing of the same at their discretion on such terms and for such prices as the directors may see fit;

Whereas the company have prayed for an act to that effect;

And whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

Building,
&c., of Chau-
diere Extension author-
ized, &c.

1. The Quebec Central Railway Company and their servants and agents may lay out, construct, finish and operate a double or single line of railway, to be known as the "Quebec Central Chaudiere Extension," by diverting and rebuilding that portion of the present line from Beauce Junction to Beauceville and building a line of road from Beauceville to the river Famine, thence following the river Famine to its water shed near the village of Langeville, and thence following the water shed of the river St. John, through the southern portion of the counties of Beauce, Dorchester, Bellechasse, Montmagny, L'Islet, Kamou-

raska and Temiscouata, to or near a point on the Temiscouata Railway at or near Cabano Station, with power to connect with the line of railway of the said Temiscouata Railway Company, in all a distance of about one hundred and seventy-five miles.

2. In connection with such extension and diverted line of its railway, the company shall have power and authority to cross over, join, acquire, lease or amalgamate with other lines of railway now constructed or in course of construction or that may hereafter be constructed.

Power to cross over, &c., other lines of railway.

3. The company shall have full power and authority to construct, work and operate a line or lines of telegraph or telephone or both, in connection with or along the line of the said extension and diverted line of its railway.

Telegraph and telephone lines.

4. The directors of the company, after a resolution authorizing them to do so has been passed by the majority of the holders of the following securities issued by the company, that is to say: of the holders of the four per cent. debenture stock, the three per cent. debenture stock and the seven per cent. income bonds, present, in person or by proxy, at a meeting of each class of such security holders specially called for that purpose, shall have power to increase the issue of debenture stock or bonds or both, authorized by the act 62 Victoria, chapter 74; provided always that the total amount issued under the aforesaid act, as amended by this act, shall not exceed the sum of fifteen thousand dollars per mile of the present line of railway and of all the branches and extensions now or hereafter constructed, and that the provisions of the said act 62 Victoria, chapter 74, and the acts amending the same shall apply to such additional issue, with the exception of the limitation of the amount of annual interest payable by the company.

Power to issue debentures to certain amount per mile of road after certain consent given by certain bondholders, &c.

Proviso.

5. The said debenture stock or bonds shall without registration carry a mortgage upon the whole railway together with the branches and extensions above mentioned and upon all lands, buildings, stations and station grounds, fixed plant, rolling stock and material appertaining thereto.

Debenture stock, &c., mortgage on road, &c.

6. The existing four per cent. debenture stock or bonds shall rank equally *pari passu* with the bonds authorized by this act as a charge on the said extensions and branch lines as well as on the present line of railway and upon all the lands, buildings, stations and station grounds, fixed plant, rolling stock and material appertaining thereto.

Ranking of bonds, &c.

Issue how to
be made, &c.

7. The directors may issue such debenture stock or bonds or both from time to time, and sell and dispose thereof upon such terms as to discount and payment as they shall judge best.

Application
of proceeds
of issue of
bonds, &c.

8. Such debenture stock or bonds hereby authorized to be created or the proceeds thereof shall be applied by the company to the following purposes, that is to say: in constructing and equipping the extensions and branches authorized by this act and in acquiring necessary terminal real estate, in the building of branch lines, in the purchase of additional rolling stock, in increasing and improving the business facilities of the company generally, and in acquiring bonds, stocks or shares in any railway, steamship, steamboat, telegraph, telephone, electric traction or power company, or otherwise in the company's interest as the directors may think proper.

Sale of cer-
tain shares
authorized.

9. The eight thousand four hundred and forty-two shares of the capital stock of the company held in trust by the late Honorable J. G. Robertson which were by judgment of the Superior Court at Quebec, rendered on the fourteenth day of March, one thousand nine hundred and three, declared to be the property of and to belong to the company and were by such judgment transferred to the company, may, by the directors of the company, be sold or disposed of in lots, or altogether either by public auction or private sale on such terms and for such prices as said directors may deem advisable in the company's interest, and the proceeds of such sale may be applied by said directors in the furtherance of such undertaking of the company, as provided in the preceding section, or otherwise in the company's interest as the directors may think proper; and pending the disposal of the said shares, the company shall have full power, through its nominee or nominees appointed by the board of directors, to vote on said shares or on any undisposed portion thereof at all meetings of the shareholders of the company.

Power to
vote at meet-
ings of share-
holders on
such shares
until dispos-
ed of.

Commence-
ment and
completion
of works.

10. The works and constructions authorized by this act shall be commenced and completed as follows: the extension from Beauceville to the Famine river, a distance of about nine miles, shall be completed within two years from the coming into force of this act; the extension from the Famine river to Cabano and the construction of the diverted line from Beauce Junction to Beauceville shall be commenced within three years from the coming into force of this act and be completed within ten years thereafter.

63 V., c. 66, s. 2, to apply. **11.** Section 2 of the act 63 Victoria, chapter 66, shall apply to this act and the bonds issued thereunder.

12. The second clause of section 4 and section 5 of the act 1 Ed. VII., c. 59, s. 4, § 2 and s. 5, repealed.

13. This act shall come into force on the day of its sanction. Coming into force.

CHAP. 59

An Act to amend the act incorporating the Quebec and Lake St. John Railway Company and the acts amending the same

[Assented to 9th March, 1906]

WHEREAS the Quebec and Lake St. John Railway Company Preamble.
has, by its petition, represented that its act of incorporation and the acts amending the same should be amended, as hereinafter appears; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

1. The company is authorized, by resolution of the directors, to subscribe for and purchase shares in the capital stock of the Quebec Transport Company, or any other steamship company trading to the port of Quebec, to an amount not exceeding the sum of ten thousand dollars, and may become a shareholder in such company or companies and exercise all the rights and privileges of a shareholder. Authoriza- tion to sub- scribe shares in Quebec Transport- Company, &c.

2. The rights and powers of the company as a shareholder shall be exercised by any person authorized, from time to time, by resolution of the board of directors. Exercise of right as shareholder.

3. The company may, by resolution of the directors, in lieu of the annual sum promised to be paid by the company towards the construction and maintenance of a hotel at lake St. Joseph, guarantee the payment of the capital and interest of a loan to be made by the Lake St. Joseph Hotel Company, to the extent of a sum not exceeding fifty thousand dollars. The said guarantee may be for such term of years, at such rate of interest and on such conditions as shall be determined by the directors. Power to guarantee payment of loan contracted by Lake St. Joseph Hotel Company.

Any sum which may be guaranteed in execution of the power hereby given shall not be deducted from the sum which the company is authorized to expend by the act 2 Edward VII, chapter 59, section 3. Sum not to be deducted out of certain amount.

4. This act shall come into force on the day of its sar

to

CHAP. 60

An Act to further amend the charter of the Atlantic, Quebec and Western Railway Company

[Assented to 9th March, 1906]

Preamble.

WHEREAS the Atlantic, Quebec and Western Railway Company has, by petition, prayed that its charter be amended as hereinafter set forth, by adding certain provisions for the purpose of extending the delay within which the company shall complete its railway; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

1 Ed. VII,
c. 63 s. 26,
replaced.

1. Section 26 of the act 1 Edward VII, chapter 63, as replaced by section 2 of the act 5 Edward VII, chapter 52, is again replaced by the following:

Commence-
ment and
completion
of railway.

" 26. The works authorized by this act shall be commenced within the delay of two years, and the said railway shall be completed within a delay of seven years from the first of July, 1906."

Coming into
force.

2. This act shall come into force on the day of its sanction.

CHAP. 61

An Act to amend the act incorporating the Matane and Gaspé Railway Company

[Assented to 9th March, 1906]

Preamble.

WHEREAS the Matane and Gaspé Railway Company has, by its petition, represented that it is desirable that its charter, the act 2 Edward VII, chapter 60, be amended and it is expedient to grant such prayer;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

§§ added to
2 Ed. VII.,
c. 60, after
s. 2.

1. 1. The following subsections are added to the act 2 Edward VII, chapter 60, after section 2:

a. The company shall have the power to construct, operate and extend the main line of its railway, from its present junction with the Intercolonial Railway at or near St. Octave de Métis, in the county of Matane, in a westerly direction, to some point on the projected railway called "the Grand Trunk Pacific Railway," in the county of Temiscouata, with the right to construct a branch in a westerly direction as far as the town of Rimouski;

Power to construct, &c., certain line of railway;

b. The company may acquire, construct, hire, and operate steamships and vessels of all kinds and carry on the business, of ship owner, ship builder, express man, mail carrier, wharfinger and warehouseman;

Power to acquire, &c., steamships, &c.

c. The company shall have the right to use, for the purpose of operating its railway, electricity, steam, compressed air or any other means of locomotion known at the time of the putting into operation of its railway.

Power to be used;

d. The company shall have power to supply electric light and motive power;

Electric light and motive power may be supplied;

e. The company shall have power to operate telephone and telegraph lines for public and private use;

Telephone and telegraph lines;

f. The company may own hotels, and fishing and hunting reserves as an attraction for tourists, fishermen and sportsmen who may use its railway.

Hotels, &c.

2. The powers granted by subsections b, c, d, e and f of this section can only be exercised by the company in the working of its line of railway."

Proviso.

2. Section 20 of the act 2 Edward VII, chapter 60. is replaced by the following:

2 Ed. VII., c. 60, s. 20, replaced.

"20. The work of construction of the said railway shall be begun, as regards at least ten miles of the road, within four years from the first of July, 1906.

When work is to be commenced and completed.

The construction of the whole line as far as Gaspé Basin shall be completed within ten years from the first of July, 1906.

In the event of either of said conditions not being fulfilled, the powers, rights, and privileges conferred by this act shall lapse, except as regards the portion of the road then built."

Powers to lapse in certain event.

3. This act shall come into force on the day of its sanction.

Coming into force.

CHAP. 62

An Act to incorporate the Portneuf County Railway Company

[Assented to 9th March, 1906]

Preamble.

WHEREAS Michel Simeon Delisle, M.P., of Portneuf; Edward Antill Panet, M. L. A., notary, of St. Raymond; Elisée Pagé, of St. Raymond; Jean Baptiste Boutet, of Ste. Christine; Damase Naud, of St. Marc; L. Clovis Mayrand, M.D., of Deschambault; John Macfarlane, manufacturer, of the town of Westmount; Joseph Ford, jr., manufacturer, of Portneuf; Thomas Ford, of Ste. Christine; Frederick W. Evans, insurance manager, and William J. White, advocate and King's Counsel, both of the city of Montreal, have, by their petition, represented that the building, construction and operation of a railway through the regions hereinafter mentioned, would be advantageous to the said regions; whereas they have prayed for the passing of an act to constitute them a corporation authorized to build, construct and operate such railway, and for other purposes;
 And whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

Persons incorporated.

1. Michel Simeon Delisle, M.P., of Portneuf; Edward Antill Panet, M. L. A., notary, of St. Raymond, Elisée Pagé, of St. Raymond; Jean Baptiste Boutet, of Ste. Christine; Damase Naud, of St. Marc; L. Clovis Mayrand, M.D., of Deschambault; John Macfarlane, manufacturer, of the town of Westmount; Joseph Ford, jr., manufacturer, of Portneuf; Thomas Ford, of Ste. Christine; Frederick W. Evans, insurance manager, and William J. White, advocate and King's Counsel, both of the city of Montreal, together with such persons as may become shareholders in the company, are hereby incorporated under the name of "The Portneuf County Railway Company," hereinafter called the "company."

Name.

Provisional directors.

2. The said Michel Simeon Delisle, Edward Antill Panet, John Macfarlane, Frederick W. Evans and William J. White are constituted the provisional directors of the company.

Capital stock and shares.

3. The capital stock of the company shall be five hundred thousand dollars, which may be called up by the directors, from time to time, as they deem necessary, but no one call shall exceed ten per cent. on the shares subscribed.

4. The head office of the company shall be in the city of Mont- Head office.
real.

5. The annual meeting of the shareholders shall be held on Annual
the second Wednesday in April in each year. meeting.

6. At such meeting the subscribers for the capital stock as- Election of
sembled, who have paid all calls due on their shares, shall choose directors.
seven persons to be directors of the company.

7. The company may lay out, construct and operate a rail- Power to
way of the gauge of four feet, eight and one-half inches from a build, &c.,
point at or near the village of St. Casimir or St. Marc, in the certain line
county of Portneuf, in a northeasterly direction, following gen- of railway.
erally the line of the Ste. Anne River to some point in the town-
ship of Gosford in said county and passing through or near the
villages of Ste. Christine and St. Raymond.

8. The company may enter into agreements with any other Power to
railway company for conveying or leasing to such company the enter into
railway of the company, in whole or in part, or any rights or certain ar-
powers acquired under this act, as also the franchise, surveys, rangements
plans, works, plant, material, machinery and other property to for convey-
it belonging, or for an amalgamation with such company on ing or leasing
such terms and conditions as may be agreed upon and subject to road, &c.
such restrictions as to the directors seem fit.

9. The company may enter into agreements with other rail- Traffic ar-
way companies: rangements,
&c., author-
ized.

a. For the passage of its cars and running of its trains over
any line of railway which its own line may cross or join with, as
well as for the running of the trains of any other railway over its
own line;

b. For acquiring branch lines;

c. For facilitating connections between its railway and any
other;

d. For acquiring the property, powers, rights, franchise and
privileges and rolling stock of other railway companies, within
the territorial limits assigned to the said company, and for
leasing the same or any part thereof.

10. The company shall build at least ten miles of its road Commence-
within two years of the coming into force of this act and termi- ment and
nate the said railway within five years. completion
of road.

11. This act shall come into force on the day of its sanction. Coming into
force.

CHAP. 63

An Act to amend the charter of the Quebec & James Bay
Railway Company

[Assented to 9th March, 1906]

Preamble.

WHEREAS the persons hereinafter mentioned have, by their petition prayed for certain amendments to the act incorporating the Quebec & James Bay Railway Company, and whereas it is expedient to grant their prayer;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

1 Ed. VII, c.
62, s. 1, re-
placed.
Persons in-
corporated.

1. Section 1 of the act 1 Edward VII, chapter 62, is replaced by the following :

“ **1.** The Honourable Richard Turner, the Honourable Edward Burroughs Garneau, William Power, M. P., Gaspard Lemoine, John Theodore Ross, George Tanguay, M. L. A., William Price, Cyrille Tessier, William Molson Macpherson, Victor Chateauvert, William Shaw and E. Beaudet; merchants; James Guthrie Scott, railroad manager, of the city of Quebec; Lt.-Col. Benjamin A. Scott, mill-owner, of Roberval, Julien Alfred Dubuc, manager, of the town of Chicoutimi; E. E. L. Ling, of New York; Joseph Girard, M. P., of St. Gédéon; and William Hanson, of Montreal, and all such persons and corporations as may become shareholders in the company hereby incorporated, shall be and are hereby constituted a corporation under the name of “The Quebec & James Bay Railway Company” hereinafter called the “company.”

Name.

Id. s. 5, § 1,
replaced.

2. The first clause of section 5 of the act 1 Edward VII, chapter 62, is replaced by the following :

Provisional
board of
directors and
their powers.

“ **5.** The Honourable Richard Turner, the Honourable Edward Burroughs Garneau, John Theodore Ross, George Tanguay, William Price, Gaspard Lemoine, James G. Scott, Benjamin A. Scott, William Power and Victor Chateauvert are hereby constituted the provisional board of directors of the company, and shall hold office as such until a board of directors are appointed under the provisions of this act, and shall have power and authority to fill vacancies occurring among their number.”

Id. s. 26, re-
placed.
Commence-

3. Section 26 of the said act is replaced by the following:

“ **26.** The railway hereby authorized shall be commenced

within three years and be completed within ten years from the first of July, 1906." ment and completion of road.

4. Notwithstanding anything to the contrary, the charter of the said company is declared to have not ceased to exist, and to be valid for all the purposes mentioned therein, saving the acquired rights of third persons and the enactments of the present act. Declaration as to charter. Acquired rights protected.

5. This act shall come into force on the day of its sanction. Coming into force.

CHAP. 64

An Act to incorporate the North Eastern Railway Company

[Assented to 9th March, 1906]

WHEREAS the persons hereinafter mentioned have presented a petition representing that the construction of a railway as hereinafter set forth would be of advantage to the region through which it would run, to its local trade, to colonization and industries, and have prayed for the incorporation of a company with the object of building and operating a railway as hereinafter set forth and of utilizing the numerous water-powers along the line of the said railway, and whereas it is expedient to grant the prayer of the said petition; Preamble.

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

1. John C. Heintz and Philip Harnischfeger, manufacturers, of the city of New York; J. T. Marchand and Jean B. Lapointe, of the city of Montreal, and R. Chevrier, M.D., of the city of Ottawa, together with such persons as may become shareholders in the company, are incorporated under the name of the "North Eastern Railway Company," hereinafter called the "company." Persons incorporated.

2. The persons named in section 1 of this act are constituted the first directors of the company. First directors.

3. The capital stock of the company shall be one million dollars; no one call thereon shall exceed ten per cent. on the shares subscribed. Capital stock. Calls.

4. The head office of the company shall be in the city of Montreal. Head office.

Annual meeting when to be held.

Number of directors. Paid directors.

Power to lay out, &c., certain line of railway.

Certain other lines may also be built.

Construction of branch lines authorized.

Power to build bridges, &c.

Tolls thereon.

Power to acquire, &c., hotels, &c.

Power to acquire, &c., water-power privileges, &c.

Not to lease, &c., electricity to any person, &c.

5. The annual meeting of the shareholders shall be held on the third Wednesday in September.

6. The number of directors shall not be less than five and not more than nine, one or more of whom may be paid directors.

7. The company may lay out, construct and operate a railway from a point on the east shore of Lake Temiskamingue, at or near the village of Ville Marie, thence in an easterly direction passing the southern bays of Lakes Des Quinze, Victoria and Kakebonga, in the county of Pontiac, and continuing to a point at or near the city of Quebec.

The company may also construct the following additional lines of railway:

a. From a point, at or near Lake Temiskamingue, northerly, to a point on the National Transcontinental Railway in the vicinity of Lake Abittibi;

b. From a point on the main line of the company, at or near Lake Kakebonga, to a point at or near the village of Maniwaki in the county of Ottawa;

c. From a point, at or near the intersection of the Gatineau river by the main line of the company, to a point at or near the village of Nominique in the county or Terrebonne

In addition to the above, the company may further construct branch lines from any point or points along its main line or extensions, provided no one of said branch lines shall exceed a distance of fifteen miles, except for the purpose of connecting with another railway or some manufactory, mine, water-power or commercial enterprise.

8. The company may construct, maintain and operate all bridges required for the purposes of its undertaking, which bridges may be constructed for the accommodation of passengers, electric cars, carriages and all other vehicles whatsoever; and the company may charge reasonable tolls for the use thereof, such tolls to be subject to the approval of the Lieutenant-Governor in Council.

9. The company may, within the territorial limits hereby assigned to it, acquire, maintain and operate hotels, parks and places of amusement in connection with its undertaking.

The company may acquire, by purchase, lease or otherwise, water-power privileges and easements, and construct, maintain and improve dams, piers and channels and other works necessary to develop such water-powers and to generate electric and other power.

The company shall not have power to sell or lease electricity to any person, company or corporation.

10. The company shall have and enjoy all rights, powers, privileges and immunities essential to the construction, operation and carrying on of the different branches of its undertaking.

General powers of company.

The company may build such railway, extensions and branches in sections and in such order as it may deem proper.

Railway may be built in sections.

11. The company may amalgamate with any other railway company and also enter into agreements with other railway companies for the passage of its cars and running of its trains over any line of railway which its own line may cross or join, as well as for the running of the trains of any other railway company over its own line, and to facilitate connections with any other railway company, and also for acquiring the property, powers, rights, franchise, privileges and rolling stock of any other railway company or companies, or for leasing any other railway or any part thereof.

Power to amalgamate, &c.

12. The company may enter into arrangements or agreements with any other railway company for leasing, selling or otherwise alienating the whole or part of the railway, extensions, branches, rights, franchise and privileges to such other company, under such conditions as the company deems expedient.

Power to lease, sell, &c., road, &c.

13. The company may, from time to time, issue securities for the purposes of the acquisition, by purchase, construction or otherwise, of vessels, hotels, terminals, parks and other properties required or used in connection with the undertaking of the company, and secure them by mortgage on the properties so acquired; and the limit to the amount of securities which the company may issue and secure in respect to said purposes and the construction of the company's authorized lines of railway, shall be fixed at thirty thousand dollars per mile of such lines of railway, and such securities may be issued only in proportion to the length of such lines of railway constructed or under contract to be constructed.

Power to issue bonds, &c.

14. The company may acquire, construct and maintain docks, dock-yards, wharves, piers, warehouses and elevators at any point or in connection with its railway and at all termini thereof on navigable waters for the convenience and accommodation of vessels, and may acquire, own, hold, charter, work and run steam and other vessels for cargo and passengers upon any navigable waters to and with which said railway, branches and extensions may reach and connect, within the limits of the Province of Quebec.

Power to acquire, &c., dock-yards, &c.

Power to purchase shares, &c. of other companies.

15. The company may purchase the shares or securities and claims of all kinds against any company with which it is authorized to enter into an agreement, and may pay therefor, partly or wholly, in bonds and fully paid up shares of the capital stock of the company.

Issue of stock, in payment of right of way, &c.

16. The directors may make and issue, as paid up stock, shares of the company whether subscribed for or not, and may allot and hand over such stock as paid up stock and the mortgage bonds of the company in payment for right of way, plant, rolling stock or materials of any kind and also in payment of the shares, securities and claims mentioned in section 15 of this act, and also for the services of contractors or employees, and may also allot and hand over such shares and mortgage bonds to the creditors of the company, whether such creditors are directors or shareholders of the company, in payment of any indebtedness of the company, and such issue and allotment of bonds shall be binding on the company and such stock shall not be assessable for calls.

Application to company of law governing railways.

Exception.

17. The provisions of the law now in force respecting railways in this Province and its amendments shall apply to the company as regards its railway only, except in the case of derogation to or incompatibility with this act; but shall not apply to the said company as regards the other powers which are hereby granted to it.

R. S. 5176, § 3, replaced, for company. Commencement and completion of road.

18. Paragraph 3 of article 5176 of the Revised Statutes is replaced, for the company, as follows:

“ 3. The company shall commence the construction of its railway within three years after the passing of this act and complete the same within seven years from the passing of this act; and if the said railway is not so commenced and completed and put in operation within the said periods respectively, the powers of construction conferred upon the company shall cease and be null and void.”

Interpretation.

19. Nothing in this act contained shall be construed as giving to any municipality any powers which it has not under the laws which govern it, nor to any company any powers which it has not under its charter.

Coming into force.

20. This act shall come into force on the day of its sanction.

CHAP. 65

An Act to incorporate the Quebec Northern Railway Company

[Assented to 9th March, 1906]

WHEREAS a petition has been presented by George William Mitchell, gentleman, of the city of Quebec, Francis Henry Chrysler, barrister, of the city of Ottawa, and John Ernest Hardman, engineer, of the city of Montreal, praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

1. The said George W. Mitchell, gentleman, of the city of Quebec, Francis Henry Chrysler, barrister, of the city of Ottawa, and John Ernest Hardman, engineer, of the city of Montreal, together with such persons as may become shareholders in the company, are hereby incorporated under the name of "The Quebec Northern Railway Company."
2. The persons named in section 1 of this act are hereby constituted provisional directors of the company, with power to act as directors until the first annual meeting of the company, and particularly to open stock books for subscription to the share capital of the company, to call for instalments on the subscribed stock and cause the same to be paid up, to issue bonds or debentures as hereunder authorized, and to commence and continue the construction and operation of the said railway.
3. The capital stock of the company shall be one million dollars, and may be called up by the directors from time to time as they deem necessary, but no one call shall exceed ten per cent. on the shares subscribed.
4. The head office of the company shall be in the city of Quebec.
5. The first annual meeting of the shareholders for the election of directors shall be held on the third Tuesday in October, 1906. The subsequent annual meetings of the shareholders shall be held on the second Tuesday in September in each year.
6. At such meeting, the subscribers for the capital stock assembled, who have paid all calls due on their shares, shall choose five persons to be directors of the company, one or more of whom

Preamble.

Persons incorporated.

The Name.

Provisional directors and their powers.

Capital stock. Calls.

Head office.

First annual meeting.

Subsequent annual meetings.

Election of directors. Payment thereof.

Quorum of board.

may be paid directors. Three directors shall form a quorum of the board.

Power to build, &c., certain line of railway, &c.

7. The company may lay out, construct and operate a railway by steam or electricity, of the gauge of four feet, eight and one-half inches, from a point on the Bell River at or near Woodchuck Rapids, near Lake Obaska, in the district of Abitibi, thence northerly to Lake Mattagami in said district, and also construct branch lines and do all things in connection with and necessary for said railway and branch lines, and acquire water-powers and erect works for the operation of its railway.

Issue of bonds authorized.

8. The company may issue bonds, debentures or other securities to the extent of thirty thousand dollars per mile of its railway.

Power to lease company's property, &c.

9. The company may enter into agreements with any other railway company for conveying or leasing to such company the railway of the company, in whole or in part, or any rights or powers acquired under this act, as also the franchise, surveys, plans, works, plant, material, machinery, and other property to it belonging, or for an amalgamation with such company, on such terms and conditions as may be agreed upon and subject to such restrictions as to the directors seem fit.

Power to enter into certain agreements with other railway companies.

10. The company may enter into agreements with other railway companies:

a. For the passage of its cars and running of its trains over any line of railway which its own line may cross or join with, as well as for the running of the trains of any other railway over its own line;

b. For acquiring branch lines;

c. For facilitating connections between its railway and any other;

d. For acquiring the property, powers, rights, franchises, privileges and rolling stock of other railway companies, and for leasing the same or any part thereof.

Deeds of conveyance of lands.

11. All deeds and conveyances of land to the company for the purposes mentioned in this act may be executed under private signature.

Commencement, &c., and completion of road, &c.

12. The company shall construct ten miles of railway within two years after the Grand Trunk Pacific Railway crosses the Bell river, and shall complete the entire line of railway within five years thereafter; and if the entire line of railway is not completed within five years after the Grand Trunk Pacific

crosses the Bell River, then the powers granted by this act shall cease and be null and void as respects so much of the line as then remains uncompleted.

13. This act shall come into force on the day of its sanction. Coming into force.

CHAP. 66

An Act to incorporate the Canadian Eastern Railway Company

[Assented to 9th March, 1906]

WHEREAS the persons hereinafter mentioned have, by Preamble.
petition, represented that the construction of the railway hereinafter described will promote colonization, contribute to the development and utilization of the natural resources of the Province of Quebec, and will be advantageous to the trade of the Province, and for such reasons the construction and operation of such railway will constitute an enterprise of public interest; whereas they have prayed for the incorporation of a company for the purpose of constructing and operating a railway and for other purposes as hereinafter described, and whereas they have further prayed that certain clauses of the general law respecting railways be amended for the purposes of the undertaking, and it is expedient to grant the prayer of such petition;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

1. The Honorable Edouard B. Garneau, merchant, of Quebec; David William Campbell, shipping agent; Aimé Geoffrion, Persons incorporated.
advocate; Luke Moore, agent, and Victor Cusson, advocate, all of Montreal, as well as all other persons who may become shareholders in the company, are hereby incorporated under the name of "The Canadian Eastern Railway Company," hereinafter called "the company": Name.

2. The head office of the company shall be in the city of Montreal or in such other place in the Province of Quebec as the Head office.
company determines by by-law.

3. The persons mentioned in section 1 of this act are hereby Provisional
constituted provisional directors of the company, with power to directors,
act as directors until the first meeting of shareholders of the their term of
company, and in particular to open subscription books for the office and
powers.

stock of the company, to make calls on the shares subscribed, to cause the same to be paid, to issue bonds, to have explorations and plans made, to acquire existing maps and plans or surveys, to commence and continue the construction and operation of the said undertaking, and for that purpose to do all things and enter into agreements of all kinds, which shall be binding on the company.

Capital stock
and shares.
Calls.

Issue of
capital stock
in sterling
money, &c.

Issue of pre-
ferred stock.

Privileges of
holders of
such stock.

Calling of
first meeting
of sharehold-
ers and elec-
tion of di-
rectors
thereat.

Annual
meeting,
when and
where held.

4. The capital stock of the company shall be twenty-five million dollars, divided into shares of one hundred dollars each, and may be called up by the directors, from time to time, as they deem necessary, but no one call shall exceed ten per cent. on the shares subscribed. The company may, by by-law, enact that any portion of such capital stock shall be issued in amounts of sterling money of Great Britain, and every twenty pounds sterling of the capital stock so issued shall give the same rights as to voting as are given by a share of one hundred dollars of the said capital stock.

5. The company may, under the authority of a resolution passed by the ordinary shareholders at any annual general meeting or at a special general meeting duly called for that purpose, at which meeting shareholders representing at least fifty per cent. in value of the subscribed stock of the company are present or represented by proxy, issue any portion of its capital stock, not exceeding ten million dollars, or the equivalent thereof in sterling money, as preference stock, and such preference stock shall have such preference and priority as respects dividends and otherwise over ordinary stock as may be declared by the resolution. Holders of such preference stock shall be shareholders within the meaning of this act, and shall in all respects possess the rights and be subject to the liabilities of shareholders within the meaning of this act; provided, however, that in respect of dividends and otherwise, they shall, as against the ordinary shareholders, be entitled to the preference and rights given by such resolution.

6. So soon as five hundred thousand dollars of the capital stock has been subscribed and ten per cent. paid in, the provisional directors shall call a meeting of the shareholders of the company at the place where the head office is situate at such time as they think proper, at which meeting the shareholders who shall have paid at least ten per cent. on the amount of stock subscribed for by them, shall elect from the persons qualified not less than seven nor more than fifteen directors.

7. The annual meeting of the shareholders shall be held at such time and at such place as shall be fixed by by-law of the company.

8. At each annual meeting, the shareholders assembled who have paid all calls due on their shares shall choose not less than seven nor more than fifteen persons, as may be, from time to time, provided by by-law of the company, to be directors of the company, one or more of whom may be paid officers of the company. No person other than a shareholder entitled to vote may vote or act as a proxy at any meeting of the company.

Election of directors at annual meeting.

Shareholders alone to hold proxies.

9. The directors may annually appoint from among themselves an executive committee composed of at least three directors, for such purposes and with such duties as the directors by by-law determine and with such remuneration as may be determined by such by-law, and the president shall be *ex officio* a member of such committee.

Appointment and duties of executive committee.

10. The directors of the company elected by the shareholders may issue debentures or fully paid and unassessable shares, or both, whether subscribed for or not, and may allot and hand over any such shares or debentures in payment for all or any of the undertakings, properties, moveable or immovable, rights, powers, franchises, plant, rolling stock, docks, elevators, wharves, warehouses, vessels or materials of any kind and also for the *bona fide* claims of contractors and engineers or other persons having claims against the company for services rendered or work done, due regard being had to the then market value of the said stock or bonds, and such issue and allotment of stock shall be binding on the company, and such stock or bonds shall not be subject to calls.

Issue of paid-up stock in payment of undertakings, &c., acquired by company, &c.

11. The company may acquire, in whole or in part, by lease or purchase, and exercise the franchises and rights the same kind as its own conferred upon any company within the territorial limits assigned to the company.

Purchase, &c., of franchises, &c., of other companies.

12. The company may transfer to its nominees such stocks as may be necessary to qualify them as directors of any other company in which it may hold stock.

Transfer of stock to nominees to qualify as directors.

13. The company may, for the purposes of its business, acquire, by lease, purchase or otherwise, and use and dispose of, any rights in letters patent, franchises and patent rights.

Power to acquire, &c., letters patent, &c.

14. The company may lay out, construct and operate a railway of the gauge of four feet, eight and one-half inches, whereof the motive power shall be steam, electricity or other motive power, from a point in or near the city of Montreal, in the Province of Quebec, and extending in a northeasterly direc-

Power to build, &c., certain line of railway, with branches, &c.

tion to a point on the Atlantic or on the Gulf of St. Lawrence or the Straits of Belle Isle as may be found most convenient and practicable, and such other branch lines as may be necessary for the opening or development of the territory on either side of the main line; and the said main line of railway and branches together with such other branch lines or extensions of the said main line of railway, as are hereafter constructed or acquired by the company, shall constitute the line of railway, The Canadian Eastern Railway, provided always that such branch lines or extensions shall be subject to the approval of the Lieutenant-Governor in council.

Power to issue bonds to certain sum per mile of railway and branches.

15. The company may issue bonds, debentures or other securities to the extent of twenty-five thousand dollars per mile of the main line and branches or extensions; and such bonds, debentures or other securities may be issued only in proportion to the length of railway constructed, or under contract to be constructed, or separately in respect of the main line and any of the branches, on the whole line of railway and branches; and the company may issue such bonds, debentures or other securities in one or more separate series, and limit the security for any series to such of the franchises, properties, assets, rents and revenues of the company, present or future, or both, as are described in the mortgage made to a trustee or trustees to secure such separate series of bonds, debentures or other securities.

Power to build, &c., steam and other vessels in certain waters and enter into agreements respecting freight, buy grain and other freight and carry on business as ship owner.

16. The company may, for the purposes of its business, build, purchase, hire, or otherwise acquire, charter, own, control and operate steam and other vessels for the carriage of passengers, mails and cargo, on any lakes, rivers or other navigable waters, or on the river and gulf of St. Lawrence, within the limits of the Province of Quebec, as is found expedient; and may enter into agreements with owners of such vessels for any of such purposes; and may purchase grain and other freight for cargo, and sell or otherwise dispose thereof and of such vessels; and may generally carry on the business of ship owner and carrier by land and water in connection with its undertakings.

Power to acquire, &c., stock in other companies engaged in carrying passengers, mails and cargo, &c.

17. The company may acquire, take, subscribe and hold, either in the name of the company, or in the name of some persons as trustee or trustees for the company, and dispose of, shares in any incorporated company having for one of its objects the carrying of passengers, mails and cargo from any ports reached by its railway to any other port or ports.

In conducting steamship business.

18. The company may, in the operation of any of its steamship business:

a. Charge, on all property placed with it, or in its custody, such fair remuneration as may be fixed by the directors for storage, warehousing, wharfage, dockage, cooperage or any other care or labour in or about any such property on the part of the company over and above the regular freight and primage upon any such property carried, or contracted to be, or intended to be carried by it; company may: Charge for storage, &c.;

b. Recover all charges and moneys paid or assumed by it subject to which goods come into its possession, and, without any formal transfer, shall have the same lien for the amount thereof upon such goods as the persons to whom such charges were originally due had upon such goods while in their possession, and the company shall be subrogated by such payment to the rights and remedies of such persons for such charges; Recover charges paid by it, with lien therefor on goods;

c. On non-payment of freight advances and other charges due upon goods or property in its possession or under its control, sell at public auction the goods whereupon such advances and other charges have been made, and retain the proceeds, or so much thereof as is due to the company, together with the costs and expenses incurred in and about such sale, and shall return the surplus (if any) to the owner of such goods or property; but before any such sale takes place, thirty days' notice of the time and place thereof and of the amount of the charges or moneys payable to the company in respect of such goods or property shall be given by registered letter, transmitted through the post-office to the last known address of the owner of any such goods or property, except in the case of perishable goods or effects which may be sold after the expiration of one week, or sooner if necessary, unless otherwise provided in the contract between the parties. Sell goods by auction for non-payment of freight advances and other charges due.

19. 1. The company may purchase, lease or otherwise acquire, hold, enjoy, and manage, either in the name of the company or in the name of a trustee or trustees for the company, such lands, water lots, wharves, docks, dock-yards, slips, warehouses, elevators, offices and other buildings as it finds necessary and convenient for its purposes; and may construct any of such works or buildings and sell or otherwise dispose thereof for the purposes of the company; and may carry on the business of warehouseman and wharfinger, and charge wharfage and other dues for the use of any such property; and may take and hold, either in the name of the company or in the name of some other person as trustee for the company, and dispose of, shares in any incorporated company having for one of its objects the exercise of any of the powers by this section conferred upon the company, and may enter into any agreements with any such company respecting the use of any of the property of such company. Power to acquire, &c., lands, wharves, docks, &c.

Powers of expropriation may be exercised for certain purposes.

2. If the company cannot agree with the owner for the purchase of any property in any unorganized part of the Province required for wharves, docks, dock-yards, slips or elevators to be used in connection with the railway, it may cause a map or plan and book of reference to be made of such property, and all the provisions of section twelfth of chapter third of title eleventh of the Revised Statutes of Quebec, respecting the taking of land and the determining of the compensation payable therefor, shall apply to the subject matter of this paragraph, to the obtaining of such property and determining the compensation payable therefor.

Company may:

20. The company may, for the purposes of its railway and steamships and in connection with its business:

Build hotels, &c.;

a. Build, purchase, lease or otherwise acquire, manage or control, at such points or places along its railway or any branch thereof, or at any ports or places of call of any of its steamships, such buildings as it deems advisable for hotels and restaurants; and purchase, lease and hold the land necessary for such purposes; and carry on business in connection therewith, and afford such facilities as may tend to the comfort and convenience of the travelling public, and let any such building for such purposes, and acquire, hold and dispose of shares in any incorporated company having for one of its objects the exercise of any of the powers by this section conferred upon the company, and enter into agreements with any such company respecting any of such buildings, lands, facilities or business;

Acquire shares in companies with that object;

Purchase, &c., parks, &c.

b. Purchase, lease and hold lands required for, and lay out, establish and manage parks and pleasure grounds, and give a lease thereof to, or contract with any person for the use thereof, upon such terms as the company deems expedient.

Issue of bonds for construction of vessels, &c.

21. The company, having been first authorized by a resolution passed at any annual meeting or at a special general meeting of the shareholders duly called for that purpose, may, from time to time, issue bonds or debentures for the construction or acquisition of any vessels, or other properties, or works of any kind, other than the railway, which the company is authorized to acquire or operate, but such bonds and debentures shall not exceed in amount the value of such vessels, properties and works.

Execution of mortgage deed to secure bonds.

22. 1. For the purpose of securing each issue of such bonds or debentures, the company may execute a mortgage or mortgages, act, in such form and containing such provisions and stipulations not contrary to law nor inconsistent with the provisions of this section, as are approved of by the resolution mentioned in the next preceding section.

2. Each of such mortgages shall be made to a trustee or trustees to be appointed for that purpose at the said meeting, and may contain provisions determining the amount secured upon the vessels or class of vessels or upon any other properties, or works, other than the railway, to which it relates, the rank and priority of the bonds or debentures intended to be secured thereby, the rights and remedies to be enjoyed by the respective holders of such bonds or debentures, the mode of assuring the application of the proceeds of such bonds or debentures to the purposes for which they are to be issued, the rate of interest thereon, the place and time of payment of the principal and interest, the creation of a sinking fund for the redemption of the said bonds and debentures, and all the conditions, provisions and restrictions requisite for the effectual carrying out of the terms of the mortgage and for the protection of the holders of such bonds or debentures.

Deed to be in favor of trustees and what to contain.

3. The company may charge and bind the tolls and revenues of the vessels or class of vessels or properties or works, other than the railway, to which any such mortgage relates, and the whole or any part of any subsidy to be earned in connection therewith, in the manner and to the extent therein specified; and each such mortgage shall create absolutely a first lien and encumbrance upon the vessels or class of vessels or properties or works, other than the railway, therein described, as well as on the tolls, revenues and subsidies therein hypothecated; the whole being for the benefit of the holders of the bonds or debentures in respect of which such mortgage is made.

Power to charge tolls, &c., of vessels, &c., for such bonds, &c.

4. Each issue of bonds or debentures intended to be secured by any of the mortgages referred to in this section shall entitle the holders of any of the bonds belonging to each such issue to rank *pari passu*, with all other holders of bonds of the same issue, and a duplicate of each such mortgage shall be filed in the office of the Provincial Secretary.

Ranking of issues of bonds, &c.

23. Any bonds, debentures or other securities authorized by this act may be issued in whole or in part in the denomination of dollars or of pounds sterling, and may be made payable, both as to principal and interest, in Canada, the United States or Europe; and the whole or any of such bonds, debentures or other securities may be pledged, negotiated or sold upon such conditions and at such price as the directors, from time to time, deem advantageous and in the interest of the company.

Conditions on which bonds are to be issued and where to be payable, &c.

24. The company, being first authorized as by section 21 provided, may also issue mortgage bonds, to be called "Land Grant Bonds," to the extent of two dollars per acre, upon any land owned by the company other than lands required for the

Issue of "Land Grant Bonds" to certain sum per acre of lands.

Effect of
such issue
upon lands.

purposes of its undertaking; and when so issued such bonds shall constitute a first mortgage upon such lands, and any such mortgage may be evidenced by a deed or deeds of mortgage made to a trustee or trustees appointed for that purpose at the meeting of shareholders authorizing it; and the said mortgage shall confer upon the trustee or trustees named therein, and upon the holders of the bonds secured thereby, such remedies, authorities, powers and privileges, and may contain such provisions and conditions as are not contrary to law or inconsistent with the provisions of this act or of any agreement entered into between the company and the grantor of such lands.

Telegraph
and tele-
phone lines
along line of
railway and
branches.

25. 1. The company may construct, maintain, and operate such telegraph and telephone lines upon and along its railway and branches as may be necessary for its undertaking; and, for any of the said purposes, may enter into agreements with any other company, or may lease the company's lines or any portion thereof and may connect its lines with the lines of any companies having authority to operate telegraph or telephone lines, and may enter into arrangements with any such companies for the exchange and transmission of messages or for the working in whole or in part of the lines of the company.

Telegraph
and tele-
phone lines
to connect
with other
lines.

2. The company may also construct, maintain and operate, in the districts when there are not at present any such telegraph or telephone line, any other lines of telegraph and telephone, from any point on the lines constructed or to be constructed along its line, to connect such lines with any other lines of telegraph or telephone in Quebec.

Rates to be
approved by
Lieutenant-
Governor in
Council &c.;

3. No rates or charges shall be demanded or taken from any person for the transmission of any message by telegraph or telephone, or for leasing or using the telegraphs or telephones of the company, until such rates or charges have been approved of by the Lieutenant-Governor in council; and such rates and charges shall be subject to revision, from time to time, by the Lieutenant-Governor in council.

Company,
for certain
purposes,
may.

26. The company may, for the purposes of its railway or such railways as it may acquire, lease or operate, or for its stations, hotels, restaurants, parks, recreation grounds, steamboats or other steamships, bridges, subways or tunnels, wharves, docks, dock-yards, slips, landing docks, warehouses, elevators, offices, manufactories, works, mills, telegraph and telephone lines, mines, smelters, and timber limits possessed by it or under its control:

Acquire, &c.,
lands, &c.

a. Acquire, utilize and develop such lands, water-powers, rights, easements and privileges in the vicinity of its railways or

branches, and construct, maintain and operate such dams, reservoirs, buildings and works as are deemed advisable for the generation, transmission and distribution of electricity for light, heat and power works and for the purpose of supplying water; and take, hold and dispose of shares in, and enter into agreements with, any company incorporated for any of the purposes aforesaid; notwithstanding any law granting such, however, the company shall not have power to sell or lease electricity to any person, company or corporation.

b. Also take, hold, and dispose of shares in any incorporated company authorized to acquire, develop, work and dispose of mines, minerals, mining rights, timber and timber lands, in the vicinity of its railway or branch lines, or crush, smelt, reduce, amalgamate or otherwise treat and dispose of the ores and products of any such mines, or engage in general mining and lumbering operations upon such lands, or in the manufacture and sale of the products thereof.

27. The company may grant or lease to any person the right to erect, on lands belonging to the company, warehouses, elevators, hotels, mills, manufacturing establishments or other buildings or works for the purpose of giving greater facilities to the public in doing business with the company; and the buildings or works so erected shall not be bound by, or be subject to any mortgage or lien on the property of the company without the written consent of the owner of such buildings or works.

28. The company may, for the purpose of promoting the settlement and cultivation of any lands served by its railway or branch lines, enter into agreements with actual or intending settlers, and for this purpose may aid such settlers by making advances, which may be secured upon such lands, or otherwise, and may construct and operate, or aid in, or subscribe towards the construction, maintenance and improvement of roads, viaducts, aqueducts, ditches, flumes, saw and grist mills, and other similar works.

29. The company may enter into a lease of, or acquire running powers over or the right to work the line of, or enter into working arrangements with any other railway company which has been or is hereafter empowered to make or grant the same to or with the company, or may acquire by purchase the whole or any part of the railway and appurtenances of any other company so empowered to sell the same to the company; and any agreement, lease or conveyance made or entered into in pursuance of this enactment may be for such periods, for such price, and upon such terms and conditions, as are, from time to time, agreed upon by the boards of directors of the respective com-

Not to sell,
&c., elec-
tricity to any
person, &c.

Take, &c.,
shares, in any
incorporated
company
authorized to
acquire
mines, &c.

Company
may grant,
&c., right to
erect build-
ings on com-
pany's prop-
erty, &c.

Company
may enter
into agree-
ments with
settlers, &c.

Power to ac-
quire run-
ning powers
over other
lines of rail-
way, &c.

Approval of
shareholders
required.

panies, and shall be as valid and effectual as if it had been set out and specially authorized and confirmed by this act; provided, however, that every such transaction shall be subject to the approval of two-thirds of the votes of the shareholders of the company present or represented by proxy at an annual meeting or at a special general meeting duly called for that purpose, and thereafter the company may acquire and hold shares, bonds or other securities of such other companies.

Power to
convey rail-
way of com-
pany and
all rights,
&c., by
agreement.

30. 1. The company may enter into an agreement with any company empowered, for conveying or leasing to such company the railway of the company, in whole or in part, or any rights or powers acquired under this act, as also the franchises, surveys, plans, works, plant, material, machinery and other property to it belonging, or for an amalgamation with such company, upon such terms and conditions and subject to such restrictions as are agreed upon between the directors of the companies parties to such agreements; provided that such agreement shall not take effect until it has first been approved of by two-thirds of the votes of the shareholders present or represented by proxy at any annual meeting or at a special general meeting of the shareholders duly called for the purpose of considering it, at which meeting shareholders representing at least two-thirds in value of the stock are present or represented by proxy, and that such agreement has also received the sanction of the Lieutenant-Governor in council.

Approval
of sharehold-
ers required.

Sanction of
Lieutenant-
Governor
required.

Notice re-
quired before
signification
of sanction.

2. Such sanction shall not be signified until after notice of the proposed application therefor has been published in the *Quebec Official Gazette* for at least two months previously to the time therein named for the making of such application, and also for a like period in one newspaper in each of the counties or electoral districts through which the railway of the company runs and in which a newspaper is published.

Deposit of
duplicate of
agreement in
office of Pro-
vincial Sec-
retary.

3. A duplicate of the agreement referred to in paragraph 1 of this section shall, within thirty days of its execution, be filed in the office of the Provincial Secretary, and notice thereof shall be given by the company in the *Quebec Official Gazette*; and the production of the *Quebec Official Gazette*, containing such notice shall be *prima facie* evidence of the requirements of this section having been complied with.

Power of
company to
build
bridges, &c.,
and take
tolls, &c.

31. The company may build bridges, subways or tunnels, and may construct or arrange them so as to make them suitable for the passage of horses, vehicles, foot-passengers or for lines of other companies, whether operated by steam, electricity or other motive power, and for general traffic purposes, and may construct, maintain and operate all necessary connections or

approaches thereto, and works in connection therewith, and may charge such rates as may be fixed by the company, for the use of such bridges, subways or tunnels; such rates to be subject to the approval of the Lieutenant-Governor in council. The company may unite with, or enter into agreement with any other company, corporation or person for the construction, maintenance and operation of any such bridges, subways or tunnels as a joint work or for the joint working, control or management and use thereof.

Approval of tolls.

Company may unite with others in construction and maintenance, &c., of such bridges, &c.

32. The company may, for the benefit and on account of the company, sell and convey any lands or other property not required for the purposes of the company, and, with the consent or approval of the trustee or trustees holders of any mortgage forming a charge on the said lands or property, may apply the proceeds arising from such sale as the company deems expedient; and any lands or other property so sold shall, on payment in full to the company of the purchase money therefor, and on the delivery of a conveyance thereof duly executed by the company, be vested in the purchaser thereof freed and discharged from all mortgages and charges of any nature by this act or by the company created.

Power to sell property not required for company's use.

Application of proceeds.

Lands so sold, if paid for, vested absolutely in purchaser free of all charges, &c.

33. The provisions of the law now in force as regards railways in this Province and its amendments, except paragraph 16 of article 5134 of the Revised Statutes, shall apply to this company as regards its railway, except in the case of incompatibility or derogation, but shall not apply to the said company as regards the other powers which are hereby granted to it.

Certain articles of R.S., to apply to this company for its railway, but not as regards other powers granted.

34. The limitation as to the rate of interest contained in paragraph 11 of article 5132 of the Revised Statutes shall not apply to the company.

Proviso as to interest.

35. The works of construction of the company shall be commenced within five years and be completed within ten years from the coming into force of this act.

Commencement and completion of works.

36. Nothing in this act contained shall be construed as giving to any municipality any powers which it has not under the laws which govern it, nor to any company any power which it has not under its charter.

Interpretation.

37. This act shall come into force on the day of its sanction.

Coming into force.

CHAP. 67

An Act to amend the acts relating to the Montreal Street Railway Company

[Assented to 9th March, 1906]

Preamble.

WHEREAS the Montreal Street Railway Company has represented that it has constructed and is operating an electric railway system in the parish of Montreal, and has made contracts and entered into relations with divers municipalities and other corporations on the Island of Montreal, and has acquired an interest in other railway companies on the Island of Montreal; and has further represented that, in order to enable it to assist in the development of the electric railway system to meet the needs of the increasing population, it is necessary to amend the acts relating to the company, and to increase its powers;

And whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

62 V., c. 77, s. 1, replaced. **1.** The act 62 Victoria, chapter 77, section 1, is replaced by the following:

Increase of capital stock.

Law applicable.

"1. The company may, with the consent of three-fourths of the shareholders present at a special general meeting called for that purpose, increase its capital stock and issue new stock to an aggregate amount of eighteen million dollars. The provisions of the act 49-50 Victoria, chapter 86, section 3, shall apply to such increased capital."

Power to borrow in addition to issue of bonds, Ac.

2. The directors of the company may, from time to time, borrow money for the purpose of its business over and above the amount of any bonds or debentures which it may have outstanding. The company may secure any sums borrowed by hypothecating or transferring to the lenders, or to trustees for the lenders, the stock, bonds or securities of other companies owned by it.

Application of company's funds, &c.

3. The capital stock of the company, its debentures or the stock, bonds or securities of other companies owned by it may be used for the purposes of acquiring any additional property, and may be issued or transferred in payment or part payment therefor or in payment or part payment for the stocks, bonds or securities of other companies.

4. The company may cancel, by resolution of its directors, the shares of its capital stock now outstanding and issue to the present holders in the place and stead of every two shares thereof one share of the par value of one hundred dollars, and in the case of any shareholder holding an odd number of shares the company, in making such conversion, shall retain one share and pay such shareholder in lieu thereof the market price of such share at the time being quoted on the Montreal Stock Exchange, and every two shares so acquired by the company shall be converted into one share of the par value of one hundred dollars and sold on the Montreal Stock Exchange for the benefit of the company.

Cancellation of shares and issue of new shares.

5. Paragraph (c) of section 2 of the act 62 Victoria, chapter 77, is replaced by the following:

62 V., c. 77, s. 2, § c, replaced.

"(c) The company may carry freight, provided always that the company shall not haul freight upon the streets of any municipal corporation except with the consent of such municipal corporation first had and obtained by by-law thereof."

Power to carry freight, &c.

Proviso.

6. The company may, from time to time, acquire and dispose of the stock, bonds or securities of other companies operating similar railways on the Island of Montreal, and may, from time to time, divide such stock, bonds or securities or certificates therefor, not required to be retained for the purposes of the company, amongst its shareholders.

Power to acquire stock in other companies, &c.

7. The company may lease or enter into contracts for the operation by it or in conjunction with it of the railway system of any electric railway on the Island of Montreal, and may guarantee the capital and interest of the bonds of any such railway or the dividends on the stock thereof.

Power to operate other road, &c.

8. Nothing contained in this act shall, in any way, affect the rights of the city of Montreal or of any other municipality.

Rights of certain municipalities not affected.

9. This act shall come into force on the day of its sanction.

Coming into force.

C H A P. 68

An Act to incorporate the Levis County Railway

[Assented to 9th March, 1906]

Preamble.

WHEREAS a petition has been presented by John Forman, merchant, Thomas B. Macaulay, insurance manager, Samuel Hamilton Ewing, merchant, all of the city of Montreal; Rodolphe Audette, of the city of Quebec, merchant, and J. Cleophas Blouin of the town of Levis, manufacturer, praying for the passing of an act to incorporate the Levis County Railway with the powers hereinafter mentioned, and it is expedient that the prayer of their petition be granted;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

Persons incorporated.

1. John Forman, merchant, Thomas B. Macaulay, insurance manager, Samuel Hamilton Ewing, merchant, all of the city of Montreal; Rodolphe Audette, of the city of Quebec, merchant, and J. Cleophas Blouin, of the town of Levis, manufacturer, and all persons who shall become shareholders in the company hereby incorporated, are hereby constituted a corporation under the name of "The Levis County Railway," hereinafter called "the company."

Name.

Head office.

2. The head office of the company shall be at the town of Levis.

First directors and quorum thereof.

3. The said John Forman, Thomas B. Macaulay, Samuel H. Ewing, Rodolphe Audette and J. Cleophas Blouin shall be the first directors of the company, of whom a majority shall form a quorum.

Future directors. Paid directors.

The future directors shall not be less than five nor more than seven in number, as may be determined by by-law. One or more of such directors may be paid salaries.

Capital stock. Shares.

4. The capital stock of the company shall consist of the sum of one million dollars, divided into five thousand shares of one hundred dollars each, non-cumulative preferred stock, upon which a dividend not exceeding five per cent. per annum may be paid by the company, and five thousand shares of one hundred dollars each of common stock.

When annual meeting to take place.

The annual meeting of the shareholders shall take place on the third Wednesday in October in each year, at such hour as may be fixed by the directors.

5. The company may acquire, hold, operate and run the railway built by the Levis County Railway Company as the same now exists, and as operated, by means of electricity, in the town of Levis, the parish of St. Romuald, the municipality of Bienville and the village of Lauzon, together with the elevator and all the property, real and personal, assets, privileges and franchises, both those derived from the charter of the Levis County Railway Company and those granted by municipal or other corporations or persons, heretofore belonging to and enjoyed by the said Levis County Railway Company. The motive power may be changed with the consent of the municipalities interested and of the Turnpike Road Trustees.

Power to acquire, &c., certain line of railway.

Nevertheless the agreements and covenants entered into between the corporation of the town of Levis and the Levis County Railway Company and set forth in the resolution of the said corporation dated the 20th March, 1902, annexed as schedule A to the act 2 Edward VII, chapter 61, which agreements and covenants are hereby declared null and void to all intents and purposes, shall be replaced by the agreements and covenants contained in the resolution of the said corporation dated the 19th February, 1906, annexed to this act as Schedule A, and the said agreements and covenants are hereby declared valid.

Certain agreements with town of Levis of the 20th March, 1902, declared null.

Agreements of 19th February, 1906, ratified.

And, except as the same are modified by the terms of the covenants and agreements between the Village of Lauzon and the said company hereto annexed as Schedule B, and between the Village of Bienville and the said company, hereto annexed as Schedule C, as amended, which covenants are hereby ratified and confirmed.

Agreements with villages of Lauzon and Bienville ratified.

6. The company shall have power to extend the said railway, when it shall have acquired the same, and to operate it as aforesaid, in the town of Levis and in and between the various parishes of the counties of Levis, Bellechasse and Beauce, with the consent of the municipalities as regards the location of the said railway; which municipal authorities are hereby authorized to give such consent and to exempt by resolution the company from taxation on its existing railway and property or any extension of the railway or property hereafter acquired for such period of time not exceeding twenty-five years as they shall deem advisable, and to grant it such privileges and advantages as they may deem in the interest of the public of the municipality. For the roads under the control of the South Shore Turnpike Road Trustees, the company shall make and it is authorized to make arrangements with the said trustees for the location, construction and right of way of the railway, as well as for the maintenance of the roads on which the said road is or shall be built, without prejudice to the rights of the

Power to extend railway with consent of certain municipalities, &c.

municipalities if they have any. The company may build and operate branches, not exceeding fifteen miles in length, for facilitating the operation of the main line.

Power to
amalgamate.

7. The company may amalgamate with any other railway company whose lines may be crossed by the company's railway or branches with which it may join or unite.

Power to
enter into
certain
agreements
with other
railway com-
panies.

8. The company is authorized to enter into arrangements with other railway companies:

1. For the passage of its cars and the running of its trains over any railway which its lines may cross or with which it may connect, as well as for the running of the trains of any other railway company over its lines;

2. For acquiring branch lines;

3. For facilitating connections between its own and any other railway;

4. For acquiring the ownership, powers, rights, franchises and privileges, as well as the rolling stock of other railway companies and for leasing any other railway, wholly or in part.

The whole with the restrictions aforesaid as regards motive power.

Power to
transfer
rights, &c.,
to other com-
panies, &c.;

9. The company is further authorized to make arrangements with any other railway, electric or transportation company, for transferring its powers to it or acquiring those of the said other company or amalgamating together on such conditions as the respective directors of both companies may deem expedient; but the decisions of the board of directors must be ratified by the majority in value of the shareholders present at an annual general meeting or at a special meeting called for the purpose. The company may purchase shares in any electric power company.

To acquire,
&c., shares,
in electric
power com-
pany.

Issue of
bonds, &c.

10. The first directors of the company may issue bonds or debentures to an amount not exceeding five hundred thousand dollars, bearing interest not exceeding five per cent. and repayable at such time as the directors may decide, provided that no bond shall be issued for a sum less than one hundred dollars.

Proviso.

Power to
issue stock
in payment
of price of
Levis County
Railway, &c.

11. The directors may make, and issue as paid up stock, shares in the company, either preferred or common or both, whether subscribed for or not, and may allot and hand over a portion of such stock and such portion of the mortgage bonds provided for in section 10, as may be necessary, in payment of the purchase price of the Levis County Railway, its rolling stock, equipment, the elevator, property real and personal, tools, plant, machinery, assets, privileges and franchises of the

Levis County Railway Company or in payment of any such property which the company is authorized to acquire. The directors may further allot and hand over such shares in payment of the right of way, plant, rolling stock, electric equipment, material of all kinds and the services of contractors and employees, and in payment of any claim for compensation for services rendered to the company by any person, director or shareholder of the company; and such issues and allotments of stock shall be binding on the company and such stock shall not be assessable for calls.

12. Notwithstanding any provision to the contrary or the omission of any provision authorizing it so to do, any corporation of a city, town, village, county or parish or any municipality interested in the construction of the projected railway, may subscribe for shares in the capital stock or give free grants of money to the company either for facilitating the preliminary works or for aiding the construction of the railway or for giving it lands, granting it exemption from taxation and other advantages; and the councils of such various municipalities shall be authorized to make such arrangements with the company as they may deem advantageous for facilitating and securing the construction of the road. Municipalities authorized to take stock and make grants to railway.

13. All deeds and transfers of property to the company for the purposes set forth in this act shall be executed, in so far as circumstances may permit, at the discretion of the company, either in the notarial form or in any other form of like tenor. Form of deeds of transfer to company.

14. The company shall pay to the registrar a fee of fifty cents for each registration. Fee on registration.

15. Such registration shall be deemed valid in law, and shall, as regards the right of ownership, servitude, hypothec, and other real rights, have the same effect as registration prescribed by the Civil Code. Effect of registration.

16. The company and the South Shore Turnpike Trust are authorized to alter and vary, by mutual agreement, the terms of the contract entered into between the Levis County Railway Company and the South Shore Turnpike Trust, on the 6th November, 1902, and to make new arrangements on the expiration of the said contract. Agreement of Nov. 6th, 1902, may be varied and new arrangements made.

17. The extension of the railway herein authorized shall be completed within six years from the coming into force of this act, otherwise the right of construction thereof shall cease. Time for completion of extension of road.

Power to
build, &c.,
elevators,

18. The company is authorized to build and operate one or more elevators or hoists for passengers, freight, vehicles or animals or for all such purposes combined, and to establish, from time to time, tariffs of tolls for the use of such elevator.

Power to
transfer by
deed all
property to
trustees as
security for
issue of
bonds, &c.

19. To secure the due payment of the bonds or debentures which the company may at any time issue, the company, by resolution of the directors, may create such mortgages, charges and encumbrances upon the whole of such property, assets, rents and revenues, present or future, or both, as are described in the deed of mortgage and trust which the company is hereby authorized to execute; and the company may transfer, assign and set over, as security for the due payment in principal and interest of the bonds and debentures so to be issued, to a trustee or trustees, all or any of its property, assets, franchises, privileges, rents, revenues, as it shall deem expedient, and it may covenant that, in the event of default in payment of the said bonds or the interest thereon or default in any of the obligations assumed by the company by the terms of the said deed of trust and mortgage, the said trustee may take possession of the said railway and other property so transferred and assigned, mortgaged or pledged as security, as aforesaid, and may run the said railway during such time as the trustee may deem expedient for the benefit of the bondholders, and may sell the same after such delay and upon such notice and upon such terms and conditions as the said trustee may deem expedient, or as may be agreed upon in the said deed; and any conveyance, so made by the said trustee, in accordance with the provisions of the trust deed, shall convey to the purchaser a full and complete title to the property so sold, free and clear of all mortgages, privileges and encumbrances whatsoever, except such as may be contained in the deed of conveyance to such purchaser.

Deed need
not be reg-
istered.

It shall not be necessary, in order to preserve the priority, lien, mortgage, charge or privilege purporting to appertain to or to be created by any bond issued or trust deed executed under the provisions of this act, that such bond or deed should be registered in any manner or in any place whatsoever, but every such trust deed shall be deposited in the office of the Provincial Secretary, of which deposit notice shall be given in the *Quebec Official Gazette*; and a copy of such trust deed or agreement, certified to be a true copy by the Provincial Secretary, shall be received as evidence of the original in any court of justice, without proof of the signature or seals upon such original.

Deposit
thereof in
office of Pro-
vincial Secre-
tary.

Mortgages,
&c. to be
valid
although not
registered.

The mortgage, charge and privilege purporting to be created by such deed of trust and mortgage, shall be valid and binding, notwithstanding that the said deed shall not have been registered, and the bonds issued in virtue of this act and secured by a trust deed, shall, without registration of any kind, be a first

mortgage, charge and privilege upon the whole undertaking of the company, its railway, franchises and other assets, to the extent stated in the said trust deed.

20. The directors named in the present act may purchase from John Forman and Ernest A. Macnutt, the present owners of the Levis County Railway, the said railway and all the property, assets, privileges and franchises purchased by the said John Forman by virtue of the said sale to him made by the sheriff of the district of Quebec, on 19th June, 1905, and such purchase may be made to relate back to the 19th June, 1905, and to include all the rents, revenues and profits received and realized since that date, and the assumption of all obligations, debts and charges incurred or assumed since such date, the whole upon such terms and conditions, for such price and payable in such manner as the said directors shall deem most expedient, and the said purchase shall be valid and binding upon the company and upon the vendors, notwithstanding that any or all of the said directors may have an interest in the property so purchased by the company; and when such purchase shall have been completed, the said Levis County Railway shall at once become vested with all the rights and privileges heretofore enjoyed by the Levis County Railway Company, except as the same may have been herein expressly modified.

21. The company is authorized to enter into an agreement with the Quebec Bridge Company for the purpose of extending its railway as far as the said bridge and upon the same when it shall be built, as also on the north shore of the River St. Lawrence to connect at some point with the electric railway belonging to the Quebec Railway, Light and Power Company, after having entered into an agreement with the said Quebec Railway, Light and Power Company; and the said company is authorized to enter into such arrangements with the said Quebec Bridge Company and the Quebec Railway, Light and Power Company as the respective boards of directors of the said companies may agree upon; but it shall not be lawful for the said company to run its cars into and to run upon the streets of the city of Quebec without the consent of the Quebec Railway, Light and Power Company and that of the city of Quebec.

22. Notwithstanding anything in this act contained, in default of the company and the respective municipalities of Levis, Bienville and Lauzon mutually agreeing to renew and extend, at or before the expiration of twenty years from the coming into force of this act, the terms and conditions contained in the resolutions set forth in schedule A, B, and C respectively, the company shall have the right to continue to operate :

tain its system in each of said municipalities as if they were operating the same without agreement with that municipality.

Coming into
force.

23. This act shall come into force on the day of its sanction.

SCHEDULE A

At an ordinary sitting of the council of the town of Levis held at the ordinary place of meeting in the town hall in the town of Levis, on Monday, the nineteenth day of February, one thousand nine hundred and six, at which were present councillors Joseph Fortin, Ls. Bégin, Eusèbe Belleau, Arch. Carrier, Nap. Lainé, Joseph Gosselin, Elz. Veilleux, J. E. Mercier and Almanzor Lamontagne, all members of the said council, and constituting a majority thereof, under the presidency of councillor Eus. Belleau

It was moved by councillor Joseph Fortin, seconded by councillor Ls. Bégin, and

Resolved:—That, in view of the agreement entered into between the town of Levis and the representatives of the Levis County Railway, it be resolved and enacted that the town of Levis and the said company are and shall be mutually bound, one towards the other, as soon as the agreements and covenants contained in the present resolution shall have been adopted and ratified by the Legislature of this Province, as follows:

1. The town of Levis hereby grants to the said Levis County Railway, its successors and assigns, the right to build, operate and maintain, in an efficient manner, a system of electric railway, within the limits of the town of Levis, according to the terms and conditions hereinafter set forth in the present resolution.

2. The company undertakes to operate and maintain an electric railway in good order, as well as the elevator now in operation, as actually located and constructed, with the exception of such changes and modifications as may be hereafter made with the mutual consent of the parties.

3. The company shall also, before the first of July, one thousand nine hundred and six, move four to five feet back from the street that portion of the foundation wall of the building to be used for the elevator at the foot of Labadie Hill in accordance with a plan to be supplied by the council.

4. The construction of the said electric railway and of all the accessories required for its operation, as well as its equipment shall be first class.

5. In future, the poles used and to be used for the electric wires shall be put under the control of the mayor.

6. Should the company decide to extend its network of electric railway in the streets, roads and public places of the town, it shall previously obtain authorization therefor from the council of the town of Levis.

7. The company undertakes to stop its cars at every railway crossing and not to unnecessarily impede ordinary traffic when the cars stop at the intersection of the streets or elsewhere.

8. The company undertakes to charge a minimum rate of five cents for each passenger, and to sell tickets at the rate of six for twenty-five cents within the limits of the town; but it shall have the right to charge five cents additional to passengers coming from the eastern part of the town and going beyond the foot of Bennett's Hill, or *vice versa* to those coming into that portion of the town to the west of the foot of the said Bennett's Hill and going beyond it in an easterly direction.

9. The passenger cars shall run at intervals of fifteen minutes from six o'clock in the morning to eight o'clock at night for the eastern portion of the town, from the Quebec and Levis ferry and for Notre Dame Ward, and of thirty minutes during the same time for the western part of the town, starting from the said ferry; the cars shall run every thirty minutes in all parts of the town between eight and ten o'clock at night, and every hour from ten o'clock to midnight.

10. The company shall establish at least two suitable waiting rooms in the busiest and most populous parts of the town.

11. The company shall, under the direction of the council, at all seasons of the year, maintain that portion of the road between the rails of its tracks; but, in winter, the town shall undertake at its expense to maintain the roads beside the track and to remove the snow at such places where such removal shall be found necessary in the said roads and streets through which the company's tracks run, and the latter shall be bound to pay and reimburse to the town of Levis, one-third of the cost of such work. The company further undertakes to assist in the work of removing the snow, either with its ploughs, the wings of its ploughs or cars or with its sweepers.

12. Should the council of the town of Levis decide to pave, in stone or otherwise, any street or road in which the track runs, it may pave the portion of the said street between the rails as the remainder of the street at its own expense, and may raise the bed of the said road between the rails to the level of the top of the rails, and the said company shall thereafter be bound to keep that portion situate between the rails in as good order as the remainder of the road.

13. Whenever the town shall change the level of a street through which the company's tracks run, the latter, at the request of the mayor, shall conform to such change, and the corporation shall pay the cost incurred.

14. If, at any time, it shall become necessary for the town to have excavations made in the streets through which the tracks run, for repairing, renewing, or laying water-works, pipes or sewerage or drainage pipes, or for the purpose of ascertaining any defects therein, or for thawing the water in the said pipes, and should any disturbance or interruption of traffic arise therefrom for the said company, the latter shall not have recourse in damages against the town in that respect, provided the said work be done and executed with all due diligence and rapidity.

If, in the case of fire, the corporation is obliged to interrupt the running of the company's cars, the latter shall have no recourse against the town in that respect.

15. Whenever it shall be necessary to cut any ornamental trees along the tracks of the said road where there might be danger of their coming in contact with the company's wires, such trees shall be carefully cut by the company under the direction and superintendence of the council or of its employees duly authorized for the purpose.

16. The speed of the cars shall not exceed fifteen miles an hour.

17. The company shall give a direct service between the upper and lower town from the ferry landing place in Lauzon ward to the end of its network in Notre Dame ward, when the council shall have granted the company the right to construct a "Y" on on Laurier Avenue under the direction of the council, and the right to build a siding at the foot of Fraser's street or hill at its intersection with Commercial street.

18. The company shall convey, free of charge, upon its cars, the policemen of the town, in uniform or on duty, as well as the employees of its office in the town hall, and the superintendents of works and roads and departments, whenever they shall be performing their duties; but they must then comply with the company's regulations.

19. The said company shall become surety towards the town of Levis and hold it harmless for any damages which the latter might be condemned to pay in consequence of the construction and operation of the said railway within the limits of the town.

20. The company undertakes to employ for the construction and operation of the said road, in so far as possible, qualified persons residing in Levis and paying taxes therein, in preference to outsiders.

21. If, in the period of twenty years from the coming into force of the present resolution, the company should pay its common stock holders a dividend of five per cent. as the result of the operations of its network in the said town, the company shall then be alone bound to pay the whole cost of keeping in order the streets and roads through which the said railway runs.

22. It is understood that the franchise and privileges hereby granted shall become null and void in the event of the insolvency, bankruptcy or sale by authority of justice of the property, rights and privileges of the said company or by the revocation of its charter.

23. The town further hereby grants to the company by these presents:

a. The franchise of the toll-gate on St. Lawrence street in St. Lawrence ward;

b. An exemption from all taxes for a period of twenty years, with the exception, however, of the water tax.

24. The agreements and covenants contained in the resolution of the council of the twentieth of March, nineteen hundred and two, and inserted in schedule "A" of the act 2 Edward VII, chapter 61, are hereby repealed and replaced by those contained in the present resolution, inserted in schedule "A" of this act.

25. When the company shall refuse, or shall have failed to accomplish or execute any of the obligations above set forth, except in the case of irresistible force or strikes, it shall pay to the town of Levis, as liquidated damages, for every day it shall be so in default, the sum of ten dollars, recoverable by an action for debt.

26. The agreements and covenants contained in the present resolution shall be for a period of twenty years from the coming into force thereof, unless they be cancelled for the causes and reasons above set forth. Nevertheless the parties may always, by mutual consent put an end to the agreements contained in the present resolution.

27. The present resolution shall be valid only when it shall have been adopted and ratified by the Legislature of this Province at its present session.

SCHEDULE B

EXTRACT from the minute-book of the municipal council of the village of Lauzon

Province of Quebec,
Municipality of the Village of Lauzon }

At a special sitting of the municipal council of the village of Lauzon, continued by adjournment from the sitting of the nineteenth instant, duly convened and held at the place and at the hour at which its meetings are usually held, on Wednesday, the twenty-first day of February, one thousand nine hundred and six, in accordance with the provisions of the Municipal Code of the Province of Quebec, and at which were present: Alexandre Guay, esquire, mayor, and Messrs, Achille Bernier, Barthélemi Becker, Phillippe Lemelin, Casimir Bourrassa, François Xavier Couillard and Pierre Lemieux, councillors, it was ordered and enacted by resolution of the council, as follows:

Proposed by Mr. Phillippe Lemelin, seconded by Mr. Barthélemi Becker, and

Resolved,—That, in view of the agreement entered into between the corporation of the village of Lauzon and the representatives of the Levis County Railway:

a. The council of the village of Lauzon, under the conditions hereinafter stipulated, grants to the Levis County Railway the following:

1. The right to build a line of electric railway track and to run its cars on the said track in the main street of the village of Lauzon, from the village of Bienville to the parish of Beaumont; also on the Government street leading to the graving dock; in Church street leading to the military camp; in the street commonly called la Dalle street communicating with Mont-Marie avenue and St. George street, Levis, as well as Jodoin street, if the company should deem it advisable;

2. An exemption from taxes for twenty years upon all property whatsoever which the company shall build or acquire in the said village of Lauzon, for its electric tramway.

b. Such right and such exemption shall be granted to the said company on the following conditions only:

1. It shall build its road on a level with the said streets, so that vehicles may easily cross and pass over it;

2. The said tracks shall be built on one of the sides of the said streets so as to leave all the space on the opposite side free for carriage traffic. The said railway company may, however, build switches for its cars on the said streets and cross the same when necessary;

3. The said company shall come to an agreement with the South Shore Turnpike Trust, at Quebec, as regards the running of the electric cars through the toll-gates of the said trust.

In all the other streets of the said corporation which are not actually under the control of the Turnpike Trust and in which the company may hereafter wish to pass, the said company shall be bound to maintain at all seasons of the year that portion of the road between the two rails, and during the winter it shall pay one-third ($\frac{1}{3}$) of the cost of maintenance;

4. The municipal council of the village of Lauzon and the proprietors of the water-works now existing or which may hereafter exist in said village, may, at any time, themselves, or through their officers or representatives, at any time, lay underground pipes or conduits beneath the electric tramway for the purposes of the water-works or public works; they may repair, renew and clean the same, without being liable for any damages or indemnity towards the railway company either for the stoppage of its electric cars or interruption in its traffic; provided such work shall be done without unnecessary delay, and provided the proprietors of the water-works or their representatives shall make every effort not to prevent the running of the cars without absolute necessity, and shall be obliged to replace the track in the same condition as it was previously;

5. The electric tramway of the County of Levis Railway shall continue to be operated in the main street of this village from the village of Bienville to Government street and the company shall run its cars for that distance and as far as the Levis ferry, at all seasons of the year whenever it shall be possible, every thirty minutes from six o'clock in the morning to nine o'clock at night, and every sixty minutes from ten o'clock at night to midnight.

The company shall provide the same service for that portion of its line to be built as far as Gilmour's hill;

6. From five o'clock in the morning until midnight, the fare shall be five cents for conveyance from any point west of Gilmour's hill to the Levis ferry and the upper town;

7. The company shall also sell tickets in all its offices and cars, at the rate of six for twenty-five cents;

8. It is understood that the franchises and privileges hereby granted shall become null and void in the event of the insolvency, bankruptcy or sale by authority of justice of the property, rights and privileges of the said company or by the revocation of its charter;

9. When the company shall refuse or fail to accomplish or fulfill any of the obligations above set forth, except in the case of irresistible force or strike, it shall pay to the corporation of the

village of Lauzon, as liquidated damages, for every day it shall so be in default, the sum of \$1.00 recoverable by an action for debt.

c. The agreements and covenants contained in the present resolution shall be exclusive for a period of twenty years from their coming into force on their approval and ratification by the Legislature of this Province, unless they be cancelled for the causes and reasons above set forth.

Nevertheless, the parties may, at any time, by mutual consent, either declare that they shall remain in force or enter into new ones for a specified period.

d. The present resolution shall be valid only when it shall be adopted and ratified by the Legislature of this Province at its present session, and all by-laws previously adopted to that effect by the council of the village of Lauzon shall be and are hereby repealed.

SCHEDULE C

Province of Quebec,
Municipality of Bienville

At a special sitting of the municipal council of the village of Bienville, duly convened by His Worship the Mayor, for the purpose of passing a resolution granting certain privileges to the Lewis County Railway within the limits of such municipality, and held on Monday, the nineteenth day of the month of February, one thousand nine hundred and six, at eight o'clock in the evening, in the public hall, being the place where the sittings of this council, are usually, held, in accordance with the provisions of the Municipal Code of the Province of Quebec, at which were present: His Worship the Mayor, Oct. Brochu; Councillors J. Lepage, D. Oceau, Wm. Bolduc, L. Boulanger, A. Gagnon and D. Boulé, all members of the said municipal council, forming a quorum thereof under the presidency of His Worship the Mayor; Ed. Samson acting as secretary-treasurer,

It was moved by Mr. J. Lepage, seconded by Mr. D. Oceau, and unanimously

Resolved:—That the municipal council of the village of Bienville, in so far as it has the right so to do and subject to the conditions hereinafter set forth and not otherwise, grants to the Lewis County Railway the following, to wit:

1. The right to run its cars on the track now in operation in the main street of the village of Bienville; also the right to construct an electric tramway on the street known as the King's road within the limits of the village of Bienville;

2. An exemption from taxation for twenty years on all property whatsoever which the company may build or acquire in the village of Bienville for the purposes of the electric tramway.

Such right and such exemption are granted to the Levis County Railway solely on the following conditions, to wit:

a. The company shall lay its track level with the said streets so that vehicles may easily cross and run over it.

b. The said track on the King's road shall be laid on one side of the said street, designated by the municipal council of the village of Bienville, so as to leave the whole of the space on the opposite side free for traffic and use by other vehicles. The said company may, however, establish a siding for the meeting of its cars in the streets of the village of Bienville at a place indicated by the said municipal council, which place shall not be changed when once fixed, except by mutual consent.

c. The said company shall make arrangements with the South Shore Turnpike Trust, regarding the running of its cars through the toll-gates of the said trust, the maintenance of the main street which is at present macadamized and the removal of snow from such street, so that the said street may be kept in good order throughout the year, over a width of twelve feet outside the track and at a height of one foot, leaving an easy slope from the said track so that vehicles may pass and meet one another without danger.

d. In the non-macadamized street of the village above mentioned which the rate-payers have to keep in order, the said company shall, with the wings of its ploughs or otherwise, push back the snow to a distance of eight feet from its track so that other vehicles may easily pass the cars of the said electric tramway, and when it shall be impossible to push back the snow to the required distance with the wings of its ploughs owing to the piling up of such snow, it shall be bound to remove such snow within the required distance at its own expense.

e. The poles of the electric tramway shall be placed in such manner as not to obstruct or impede traffic in the cross streets, nor entrance to yards and doors of private houses and public buildings, and the sidewalks along the track.

f. As the council of the village of Bienville has a by-law or resolution passed by such council for the purposes of the water-works and the drainage within the limits of its municipality, it may, at any time, have underground pipes or conduits placed beneath the electric tramway, at any time, by the proprietors of the water-works, their officers or representatives for the purposes of such water-works or of private or public drainage, or other public works; they may repair, renew and clean them when necessary without being thereby liable for any damages or compensation towards the Levis County Rail-

way for the stoppage of its cars or interruption of its traffic, provided such work be done without unnecessary delay, and that the proprietors of the said water-works or their representatives shall make every effort to avoid preventing the running of the cars, and that they shall leave the track in the same condition as previously.

g. The said electric tramway shall run its electric cars over the whole line now in operation in the said village of Bienville, at all times during the year, every thirty minutes from six o'clock in the forenoon to ten o'clock in the evening, and every sixty minutes between ten and twelve o'clock at night, when possible, also to have its cars stop to enable passengers to get on or off at at least three places which shall be designated by mutual consent.

h. When the company shall commence its works in the streets of the municipality, the said company shall continue them without interruption until completed and without in any way impeding public traffic either by piles of earth or other obstructions whatever on the sidewalks.

i. From six o'clock in the morning to midnight, the fare shall be five cents, for conveyance from one point to another, that is to say, within the limits of the village of Bienville, of the village of Lauzon to Gilmour's road on the east, and in the town of Levis to the landing place of the ferry steamers as well as in the upper part of the town of Levis, either going or returning. By paying his fare every passenger is entitled without extra charge, to change cars at places where the lines connect so as to be able to go without interruption from one point to another within the limits aforesaid.

j. The company shall also sell tickets in all its offices and cars at the rate of six for twenty-five cents and also give free tickets for policemen and for the secretary-treasurer of this municipality.

k. The Levis County Railway shall be the warrantor of the corporation of the village of Bienville and shall hold such corporation harmless for all claims or suits brought against it for damages to any person whomsoever through the work of construction or the operation of the said electric tramway.

l. The present agreement between the corporation of the village of Bienville and the Levis County Railway for the construction and operation of the said railway by electricity is exclusive for a period of twenty years from the date of the signing of the present resolution.

CHAP. 69

An Act to amend the charter of the North Shore Power Company.

[Assented to 9th March, 1906]

WHEREAS the North Shore Power Company has, by petition, *Preamble.*
 prayed for an act to amend its act of incorporation, as well
 as the various amendments already granted to it, with the view
 of increasing the value of the immoveable property to be owned
 and controlled by the company; to increase its capital stock and
 its borrowing and bonding powers to meet the requirements
 that have become urgent in consequence of the extension of its
 business; to authorize the company to invest in the stock and
 bonds of other companies; to exercise the rights, privileges,
 franchises and charter rights of other companies or corporations,
 and to amalgamate and consolidate with such companies and
 corporations; and whereas it is expedient to grant the prayer of
 such petition;

Therefore, His Majesty, with the advice and consent of the
 Legislative Council and of the Legislative Assembly of Quebec,
 enacts as follows:

1. Section 1 of the act 60 Victoria, chapter 77, is replaced by 60 V., c. 77,
 the following: *s. 1, re-*

"1. The Honourable Charles Carrol Colby, of the village of *Persons in-*
 Stanstead Plain, advocate; William Farwell, of the city of Sher-
 brooke, bank manager; Jean Baptiste Frégeau, of the village of
 Beebe Plain, contractor, and Edouard Alfred Lacroix, of the
 city of Three Rivers, contractor, and all other persons who are
 now or may hereafter become shareholders, shall be and are
 hereby created a body politic and corporate, under the name of *Name.*
 the "North Shore Power Company," with power to acquire prop- *Powers.*
 erty, moveable and immoveable, and the same to lease, alienate
 and otherwise dispose of, and to hypothecate in favor of trustees
 or otherwise,—the value of such immoveable property not to *Value of im-*
 exceed two hundred and fifty thousand dollars." *moveables to*
be held.

2. Section 2 of the act 60 Victoria, chapter 77, is replaced by *Id., s. 2, re-*
 the following: *placed.*

"2. The head office or principal place of business of the *Head office.*
 company shall be at the city of Three Rivers or at such
 other place in the Province of Quebec as the shareholders of the
 company, by by-law, may, from time to time, determine."

3. Section 3 of the act 60 Victoria, chapter 77, is replaced by *Id., s. 3, re-*
 the following: *placed.*

Capital
stock and
shares.

"3. The capital stock of the company shall be one hundred thousand dollars, divided into one thousand shares of one hundred dollars each.

Increase of
capital.

The capital stock may be increased, from time to time, by a vote of the majority in value of the shareholders present in person or represented by proxy at any meeting called for such purpose, to any amount not exceeding one million dollars."

Id., s. 16, §
1, replaced.

4. The first paragraph of section 16 of the act 60 Victoria, chapter 77, as amended by section 1 of the act 61 Victoria, chapter 71, and as replaced by section 1 of the act 2 Edward VII, chapter 70, is replaced by the following:

Power to
borrow
money to
certain
amount, &c.

"16. The directors may, from time to time, borrow money upon the credit of the company and issue bonds, debentures or other securities for any sum borrowed, but the amount of bonds or debentures shall not at any time exceed one million dollars."

Id., s. 16,
amended.

5. The two paragraphs added to section 16 of the act 60 Victoria, chapter 77, by section 2 of the act 61 Victoria, chapter 71, and replaced by section 2 of the act 2 Edward VII, chapter 70, are repealed.

Secs. added
after id., s.
24.

6. The following sections are added after section 24 of the act 60 Victoria, chapter 77:

Power to
exercise cer-
tain rights
&c., within
certain
limits.

"24a. The company may exercise the rights, privileges, franchises and charter rights of any company or corporation possessing powers of a like nature, within the territorial limits assigned to the company by this act, where such privileges, franchises or charter rights can be made use of in connection with the business and undertaking of the company.

Power to
lease, &c.,
works of
other com-
panies, &c.

"24b. The company may lease and operate the works or undertakings, either in whole or in part, of any person, company or corporation carrying on or authorized to carry on any business within the purposes of the company, and may acquire, hold and dispose of the stock or bonds of any company or corporation having the power to carry on any like business, the whole within the territorial limits assigned to the company by this act.

Power to
amalgamate,
&c.

"24c. The company may amalgamate or consolidate with any corporation in whose stock or bonds it is authorized to invest, upon such terms as may be agreed upon between the two companies, the whole within the territorial limits assigned to the company by this act."

Coming into
force.

7. This act shall come into force on the day of its sanction.

CHAP. 70,

An Act to extend the powers of the Richmond, Drummond & Yamaska Mutual Fire Insurance Company

[Assented to 9th March, 1906]

WHEREAS the Richmond, Drummond & Yamaska Mutual Fire Insurance Company, a body politic and corporate duly incorporated in accordance with the laws of this Province, has, by its petition, represented that, in the interest of the public, as well as of those who are insured in it, additional powers should be granted to it, and whereas it is expedient to grant its prayer;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

1. The Richmond, Drummond & Yamaska Mutual Fire Insurance Company, which is hereinafter designated as "the company," as at present organized, as well as for its future organization and business, shall have its head office at the town of Richmond, in the district of Saint Francis.

2. The company is hereby permitted and authorized to have a capital stock of one hundred thousand dollars, to be divided into one thousand shares of one hundred dollars each.

3. The directors of the company may, by by-law, make provision for the raising of said capital, and for the dates and manner of payment thereof, provided however that the first call shall be of not less than thirty per cent., and the balance shall be payable as the directors may thereafter decide, but, in any event, there shall be an interval of at least two months between every call.

4. As soon as the sum of one hundred thousand dollars of the capital stock of the company as provided for in this act is subscribed for and seventy-five per cent. thereof is paid in, the directors of the company may, by by-law, increase such capital stock, from time to time, as they may consider to be advisable, but so that said capital stock shall never exceed one million dollars.

5. When the amount of one hundred thousand dollars at least shall have been actually subscribed of the said capital stock, and thirty per cent. shall have been paid up thereon by the shareholders, the company shall thereupon consist:

(a) Of the shareholders or holders of shares of the capital stock;

(b) Of the members or persons insured under the mutual system.

When board
of directors
to be chosen.

Qualification
of directors.

6. When the capital stock shall be subscribed, the board of directors shall be chosen. Two-thirds of the directors must be shareholders and at the same time be insured under the mutual system. In addition to the qualification required by article 5285 of the Revised Statutes, the directors who are shareholders must hold shares to an amount of at least one thousand dollars on which all calls are paid up.

Members of
company and
their right to
vote.

7. Every policy-holder, other than those whose policies belong to the non-mutual or cash premium system, shall be a member of the company (all members of this class being hereinafter designated under the name of "mutual insurance members") and shall, at all meetings of the company, be entitled to a number of votes proportionate to the amount of his deposit or premium notes held by the company, namely: one vote for the total amount of such deposit or premium notes, and an additional vote for every additional sum of one hundred dollars or fraction thereof.

Right to vote
of share-
holders.

8. At all meetings of the company every shareholder shall be entitled to one vote per share, and may be represented by proxy, provided such proxy be himself a shareholder of the company.

Property
that com-
pany may in-
sure after
making cer-
tain deposit
with Provin-
cial Treas-
urer.

9. As soon as the company shall have deposited with the Provincial Treasurer the amount required by the following section it shall be empowered to insure all kinds of property, rights and interests against loss or damage by fire or lightning under the mutual as well as under the non-mutual or cash system, without being obliged to maintain a proportion between the amount of risks in cities and towns and that of risks elsewhere, nor any proportion between the amounts of risks in force under both systems; and enter into and execute contracts, agreements, or stipulations, written or printed or partly written and partly printed, relating to such purposes and calculated to accomplish the same.

Proviso as to
losses under
cash system.

Notwithstanding, the persons insured under the mutual system shall by no means be responsible for losses occasioned under the non-mutual or cash premium system.

Amount of
deposit and
increase
thereof.

10. The deposit referred to in the foregoing section shall be made in the hands of the Provincial Treasurer and be of an amount of twenty-five thousand dollars for the security of the

insured; and, as soon as the insurances in force under the system of cash premiums shall have reached the figure of three million dollars, the company shall deposit an additional amount of five thousand dollars for every additional one million dollars of insurance in force under the cash premium system, until the total deposit shall amount to fifty thousand dollars. It shall be lawful for the company to effect such deposit either in money or in any of the securities in which the company may legally invest. The interest upon the securities deposited shall be paid to the company when due.

How to be made.

Interest on securities.

If, however, the company obtains a license from the Government of the Dominion of Canada by making the required deposit therewith, it shall be entitled to withdraw that made by it with the Government of the Province of Quebec.

Withdrawal of deposit in certain event.

11. No insurance under the non-mutual or cash system shall have the effect of compelling the insured to contribute in any way to the company's funds or expenses beyond the premium agreed upon, nor entitle him to any share in the company's profits or surplus.

Rights of persons insured under cash system.

12. The company may cause itself to be reinsured against any loss incurred in the course of its operations.

Reinsurance.

13. The company may also accept reinsurances of their risks from other insurance companies wheresoever the said risks may be situated.

Acceptance of reinsurances.

14. Out of the net profits of each year's operations (not including deposit notes) the directors may divide among the shareholders such an amount as they consider advisable in the shape of dividends.

Dividends out of profits.

15. The company shall have the right to acquire and hold immoveable or other property to the amount of two hundred thousand dollars, and it may sell or lease such property or a portion thereof and dispose of the same and acquire other in lieu thereof, as to the directors may seem fit; and it may acquire and possess lands and tenements, real estate or immoveables *bona fide* hypothecated to it as security or transferred to it in payment of debts previously contracted in the course of its operations or that may have been purchased at sales under judgments obtained on such debts, or purchased to avoid loss to the company with regard to them or to their owners.

Power to hold, &c., property, &c.

16. It shall be lawful for the directors of the company, by by-law passed and approved of by a majority of the

Power to invest money

in certain
manner.

members of the company present or represented at a meeting specially called for that purpose, to invest its moneys or any portion thereof in securities of the Government of Canada, or of any Province of Canada, or by them respectively guaranteed, or in bonds or debentures of any municipal or school corporation, or in shares, bonds or debentures of any financial, industrial or commercial institution, corporation, bank or company lawfully incorporated in Canada, and lend its funds on the security of such shares and debentures, and also on mortgages on immoveable property.

Powers of
board, &c.

17. The board of directors shall have the management of the company, its property and its funds, and may make, subject to the provisions of this act, the by-laws not contrary to law, which may be necessary to obtain the ends and intention of this act and to give effect to its provisions, provided that a copy of such by-laws be transmitted to the Provincial Treasurer.

Effect of
election of
domicile by
insured.

18. Should any person, at the time of his application for insurance in the company, make a declaration in writing of election of domicile, all notifications, demands and suits relating to or arising out of the said application or the policy based thereon, shall be made or taken in the district in which such domicile is so fixed.

Effect of act.

19. This act shall not have the effect of constituting a new company, but only of extending the powers of the Richmond, Drummond & Yamaska Mutual Fire Insurance Company, which shall continue its operations, with all its assets and liabilities, policies, deposit notes, contracts, covenants and agreements, by-laws, board of directors, employees, property, rights, privileges and prerogatives, under the authority of the act governing mutual insurance companies, section seventeenth of chapter third of title eleventh of the Revised Statutes, their supplement and amendments, and with the powers and modifications enacted by this act.

Coming into
force.

20. This act shall come into force on the day of its sanction.

CHAP. 71

An Act respecting *La Foncière Mutual Fire Insurance Company*

[Assented to 9th March, 1906]

WHEREAS *La Foncière Mutual Fire Insurance Company* has, by its petition, represented that it was incorporated in 1902 as a mutual insurance company under the Revised Statutes of the Province of Quebec; that it is expedient, in the interests of the insured and of the public in general in view of the considerable increase of its business, that it should have a capital stock; whereas it has prayed that an act be passed to that effect and it is expedient to grant such prayer;

Preamble.

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

1. *La Foncière Mutual Fire Insurance Company*, hereinafter called "the company," is hereby authorized to have its head office in the city of Montreal.

2. The company is also authorized to have a capital stock of one hundred thousand dollars at least, and one million dollars at most, in shares of twenty-five dollars each.

Capital stock, and shares.

3. The amount of the issue and the date of subscription to the said capital stock, as well as the calls upon such shares, shall be determined by the directors, and notice of calls shall be given to the members of the company by a registered letter mailed to their address.

Amount and date of issue of calls how determined.

4. Thirty per cent. shall be paid on subscription and the balance shall be exigible at intervals of not less than sixty days, by instalments, the amount whereof shall be determined by the directors. Nevertheless any shareholder may pay up his shares in full in advance.

Payment for shares.

5. Every holder of shares in the said capital, either by subscription, transfer or otherwise, shall be a member of the company, with all the rights, privileges and responsibilities inherent in such membership.

Holders of shares, members of company.

6. The shares shall be transferable, but no transfer shall be valid unless it be made in the company's register; and no transfer can be validly made so long as any instalment remains due and unpaid thereon, in order that the company may have a lien upon the shares for all unpaid instalments or for any debts due by a shareholder to the company.

Transfer of shares and how effected.

Confiscation
of shares for
non payment
of instal-
ments.

Sale of such
shares by
auction.

Application
of proceeds.

7. If any shareholder refuses or neglects to pay to the company the instalment due on any share held by him at the time fixed upon, he shall become indebted for the lawful interest on the arrears of his instalments, and the directors may confiscate such share, as well as the amount already paid thereon; and any share so confiscated may be sold at public auction by the directors after such notice as they may order to be given, and the proceeds of the sale shall be used in paying the arrears on the instalments; provided always that, in the event of the proceeds of the sale of such shares being more than sufficient to pay up arrears with interest and costs, the surplus shall be handed over to the owner of such shares on demand, and no more shares shall be sold than may be necessary to cover the said arrears, interest and costs.

Power to
acquire, &c.
immoveable
property to
certain
amount, &c.
Sale and dis-
posal thereof.

8. The company shall have the right to acquire and hold the immoveables necessary for its operations to the amount of two hundred thousand dollars, and it may sell such immoveables and dispose of the same and acquire others in lieu thereof; and it may acquire and hold lands and tenements, real estate and immoveable property which may have been *bona fide* hypothecated to it as security or transferred to it for debts previously contracted due to it in the course of its business or obtained by it in payment of such debts or purchased for the purpose of avoiding a loss to the company in respect to the same or to the owners thereof.

Power of
company to
invest in cer-
tain secu-
rities, &c.

9. It shall be lawful for the directors of the company, by by-law passed and approved by a majority of the members of the company, present or represented at a special meeting called for that purpose, to invest its moneys or any portion thereof in securities of the government of Canada or of any province of Canada or respectively guaranteed by either of them, or in bonds or debentures of any municipal or school corporation or bonds or debentures of any financial, industrial or commercial institution, corporation, or company incorporated in Canada, and to lend its moneys upon the securities of such bonds or debentures and also upon mortgages upon immoveable property, with power to receive interest in advance.

When com-
pany may
commence
operations.
Composition
of company
at that time.

10. As soon as the sum of one hundred thousand dollars of the capital stock authorized by this act shall have been subscribed and thirty per cent. paid up thereon, the company may commence its operations and shall consist:

- a. Of the shareholders or holders of the shares of the said capital;
- b. Of the members or persons insured under the mutual system.

11. Every shareholder or member shall be entitled at all meetings of the company to one vote for every share or deposit note, and he may be represented by proxy provided such proxy be himself a shareholder or member of the company.

Shareholders' right to vote.
Proviso.

12. When the capital stock is thus subscribed, the board of directors shall then be chosen. Two-thirds at least of its members shall be shareholders as well as insured under the mutual system.

Election of board.
Qualification of directors.

In addition to the qualification required by article 5285 of the Revised Statutes, the shareholders who are directors must hold shares to an amount of at least one thousand dollars, on which all instalments called up shall be paid.

Further qualification.

13. The affairs of the company shall be administered by a board of not less than seven and not more than fifteen directors.

Number of directors.

14. The annual general meeting of the company shall be held on the fourth Wednesday of January of each year.

Annual general meeting when to be held.

15. A notice of each annual or special meeting of the members of the company shall be published in a French newspaper and in an English newspaper of the district of Montreal, at least fifteen days before the date of such meeting.

Notice calling meeting to be published.

16. The board of directors may, at any time, call general meetings of the members of the company in case of urgency, by giving notice as aforesaid.

General meetings how called.

17. The members of the company, assembled in special meeting called for the purpose, may adopt all by-laws for the purpose of amalgamating with other companies, upon the conditions to be determined by the Lieutenant-Governor in council; or acquiring the business and assets of any mutual joint stock company; assuming the liabilities of such companies, and of giving the board of directors all the powers necessary for dealing with any companies, either with a view to an amalgamation or for acquiring the assets and liabilities thereof. Copies of such by-laws shall be sent to the Provincial Treasurer.

Power of company to pass by-law to amalgamate with other companies, &c.

Copies of by-laws to be sent to Provincial Treasurer.

18. The members of the company, in ordinary, general or special meeting assembled, may decide to establish by categories of the insured, as many special classes as they may deem advisable, for the interests of the company. Such special classes shall be administered under the mutual system purely and simply. The general meeting duly constituted may accordingly give the board of directors all the necessary powers for regulating the working of each of such classes as regards the keeping of the separate

Categories of insured, &c.

accounts which they must keep, the limiting of the responsibilities of the insured, and the right of being represented on the board of management of each of such classes.

Deposit of certain sum with Government of Province.

19. As soon as the sum of one hundred thousand dollars of the capital stock shall have been subscribed and thirty per cent. thereon paid up, the company shall deposit in the hands of the Government of this Province the sum of twenty-five thousand dollars for the security of the insured; and as soon as the insurance in force under the cash premium system shall have reached the figure of three million dollars, the company shall deposit an additional amount of five thousand dollars for every additional one million dollars of insurance in force under the cash premium system, until the total deposit shall amount to fifty thousand dollars. It shall be lawful for the company to effect such deposit either in money, or in Dominion, provincial or municipal bonds. The interest upon the securities deposited shall be paid to the company when due.

Further deposit.

How to be made.

Interest on securities deposited.

Withdrawal of deposit in certain event.

If, however, the company obtain a license from the Government of the Dominion of Canada, by making the required deposit therewith, it shall be entitled to withdraw that made by it with the Government of the Province of Quebec.

Powers to insure after deposit made.

20. After the company shall have deposited in the hands of the Provincial Treasurer the amount mentioned in the foregoing section, the company may insure all kinds of property, rights and interests against loss or damage by fire or lightning, both under the mutual and non-mutual system or on the cash system, throughout the Province of Quebec, without being bound to establish any proportion between the amount of the risks situated in the cities and towns and those situated elsewhere, nor any proportion between the amounts of the risks in force under both systems, and to enter into and execute contracts and covenants, written or printed, or partly written and partly printed in connection with all matters relating to such purposes and calculated to accomplish the same.

Proviso as to losses under cash premium system.

However, the assured under the mutual system shall in no wise be responsible for losses sustained under the non-mutual or cash system.

Application of net profits.

21. The net profits of each year's operations (not including the deposit notes), shall be first used in paying a dividend on the capital stock, and the surplus shall be applied in the manner provided by the by-laws of the company.

Act does not constitute a new company but ex-

22. This act shall not have the effect of constituting a new company, being merely for the purpose of extending the powers of the said *La Foncière Mutual Fire Insurance Company*, and it

shall continue its operations, with all its assets and liabilities, policies, deposit notes, by-laws, board of directors, employees, property, rights, privileges and prerogatives under the authority of the law governing mutual insurance companies in this Province and with the powers and modifications provided for by this act.

23. The company may, by resolution of its board of directors, delegate to its secretary-treasurer the powers conferred upon it by article 5313 of the Revised Statutes.

Delegation of certain powers under R. S., 5313.

24. This act shall come into force on the day of its sanction.

Coming into force.

CHAP. 72

An Act to incorporate the Sterling Fire Insurance Company

[Assented to 9th March, 1906]

WHEREAS the persons hereinafter mentioned have, by petition, prayed to be incorporated with others under the name of the Sterling Fire Insurance Company, for the purpose of carrying on the business of insurance against fire and the consequences thereof;

And whereas an association of such kind would be very useful in the interests of the Province of Quebec, and it is in consequence expedient to grant the prayer of the petitioners;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

1. George G. Burnett, insurance broker, of Toronto; Colin Miller McCuaig, broker, of Montreal; Etienne Dussault, contractor, of Levis; A. Bénoni Dupuis, merchant, and Henry Alleyn, accountant, the two last mentioned of Quebec, and all other persons or corporations which may hereafter, from time to time, become shareholders of the said association, are constituted a corporation under the name of "The Sterling Fire Insurance Company"; and, under such name, shall have perpetual succession and a common seal, with power to change the same at will, and they may sue and be sued, plead and be impleaded before any court whatsoever.

Persons incorporated.

Name.

Corporate powers.

2. The persons mentioned in the foregoing section shall constitute a board of provisional directors and shall remain in office until the election of the subsequent directors. Three of them shall form a quorum.

Provisional board.

Quorum.

Powers of
company as
to insurance.

3. The company shall have power to carry on all business of insurance and re-insurance against fire and the consequences thereof, to insure and re-insure all kinds of property, rights and interests and, for such purposes, at any time and in any place, to make and execute policies, contracts, agreements or covenants, either written or printed or partly printed and partly written, according to the requirements of each case, and generally to execute all matters and things connected with such operations and suitable for the accomplishment thereof.

Head office
and change
thereof.

4. The head office of the company shall be in the city of Quebec, but it may be transferred elsewhere upon the decision of a majority of the shareholders at any general meeting convened for the purpose, upon notice of such change being given every time in the *Quebec Official Gazette*.

Capital
stock.
Shares.

Increase of
capital.

5. The capital stock of the company shall be one hundred thousand dollars, divided into one thousand shares of one hundred dollars each; but it may be increased, from time to time, to an amount not exceeding one million dollars, by a vote of the majority in value of the shareholders at a meeting regularly convened; and, upon every new issue of such capital, the shareholders shall have the right to subscribe to the new capital in proportion to the number of shares they possess, in preference to all others.

Payment of
shares.

6. Twenty-five per cent. of the amount subscribed shall be paid at the time of such subscription, and the balance shall be payable at intervals of not less than thirty days. The amount and date of the instalments shall be determined by the directors of the company; nevertheless, it shall be optional for a shareholder to pay up his shares in advance.

Power to ac-
quire, &c.,
immove-
ables, &c.

7. The company shall have power to acquire and possess immoveables to the amount of one hundred thousand dollars; and it may sell or lease such immoveables or part thereof and dispose of and acquire others in lieu of the same whenever it may be deemed expedient by the directors; and it may acquire and hold lands and tenements, real estate or immoveable property which may be hypothecated to it by way of security or transferred to it to satisfy debts previously contracted in the course of its business or which may be purchased at sales to avoid loss to the company in respect thereof or in respect of the owners of the same.

Power to in-
vest moneys
in certain
securities.

8. It shall be lawful for the directors of the company, by by-law passed and approved of by a majority of the shareholders of the company present or represented at a meeting

specially called for that purpose, to invest its moneys or any portion thereof in securities of the Government of Canada or of any province of Canada or guaranteed by them respectively; or in the bonds or debentures of any municipal or school corporation or in any public stock, funds or securities of the United Kingdom or of any of its colonies or dependencies, or in shares, bonds or debentures of any financial, industrial or commercial institution, corporation, bank or legally incorporated company, and to lend its moneys on the security of such shares and debentures, and also upon mortgages on immoveable property.

9. So soon as one hundred thousand dollars of the capital stock shall have been subscribed and twenty-five per cent. of the capital stock thereon paid up, the provisional directors may call a general meeting of the shareholders at some place to be designated in the city of Quebec, after giving notice by registered letter to each of the shareholders; the latter shall elect such number of directors as the provisional directors may hereafter determine. The directors shall choose a president and vice-president from among their number at the first meeting of the board of directors following the annual general meeting.

Organization of company after certain sum subscribed.
Election of directors.
President, &c.

Provided always that the company shall not be authorized to commence operations until at least twenty-five thousand dollars of its capital stock have been paid up, nor until it has deposited the said sum of twenty-five thousand dollars with the Government of this Province. It shall be lawful for the company to effect such deposit in money or in bonds of the Dominion or of any province of Canada, or in municipal or school bonds. The interest on the securities deposited shall be paid to the company when the same matures.

Deposit before company commences business.
How to be made.
Interest on securities.

Nevertheless, should the company obtain a license from the Government of the Dominion of Canada, it shall, upon effecting the required deposit, be entitled to withdraw that which it shall have made with the Government of the Province of Quebec.

Withdrawal of deposit.

10. The company may amalgamate with any fire insurance company upon such terms and conditions as may be approved of by the Lieutenant-Governor in Council.

Power to amalgamate.

11. The provisions of the Joint Stock Companies' General Statutes, shall apply to this act and shall form part thereof, in so far as they are not inconsistent with the provisions of the same.

R.S., 4651 to 4693 to apply.

Report to
Lieutenant-
Governor in
council.
Coming into
force.

12. The company shall make an annual report of its operations to the Lieutenant-Governor in council.

13. This act shall come into force on the day of its sanction.

CHAP. 73

An Act to amend the charter of the Royal Trust Company

[Assented to 9th March, 1906]

Preamble.

WHEREAS the Royal Trust Company has, by its petition, prayed for an act to amend the charter of the said company, the act 55-56 Victoria, chapter 79, as amended by the acts 55-56 Victoria, chapter 80, 59 Victoria, chapter 67, and 63 Victoria, chapter 76, and to extend its powers, and it is expedient to grant its prayer;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

55-56 V., c.
79, s. 2, § 7,
amended.

1. The following sub-paragraph is added to paragraph 7 of section 2 of the act 55-56 Victoria, chapter 79, as replaced by the act 63 Victoria, chapter 76, section 4 :

To hold, &c.,
property
pledged, &c.,
to it.

"2. To hold property mortgaged, hypothecated or pledged to it to secure the payment of debentures or other indebtedness, and to deal with such property in accordance with and for the purposes set forth in the instrument creating such mortgage, hypothec, pledge or obligation."

Id., s. 2, §
7a, replaced.

2. Paragraph 7a of section 2 of the act 55-56 Victoria, chapter 79, as enacted by the act 59 Victoria, chapter 67, section 1, and replaced by the act 63 Victoria, chapter 76, section 5, is again replaced by the following:

To hold, &c.,
office of
receiver,
trustee, &c.

"7a. To accept and hold the office and perform all the duties of receiver, trustee, assignee, trustee for the benefit of creditors, liquidator, executor, administrator, curator to insolvent estates, guardian to the person or property, judicial sequestrator, tutor and subrogate-tutor to minors, curator to interdicts and all other persons to whom curators may be appointed, judicial adviser, curator to substitutions, and in all other cases where curators to property may be appointed, when appointed thereto in the same manner as individuals are appointed to fill such offices, but the company shall not be obliged to take the oath of office in cases where the same would otherwise be required, the whole notwithstanding the provisions of articles

364, 365, 366 and 367 of the Civil Code preventing a corporation from acting in any of the said capacities,—which articles shall in nowise affect the present company.”

3. Paragraph 15 of section 2 of the act 55-56 Victoria, Id., s. 2, § 15, chapter 79, as enacted by the act 63 Victoria, chapter 76, replaced. section 7, is replaced by the following:

“15. Generally to charge for, collect and receive, for all or any of the past or future services, duties, trusts or things rendered, observed, executed or done in pursuance of any of the powers of the company, all agreed or proper remuneration, besides legal costs, usual and customary charges and expenses, even when the said company is acting as tutor, sub-tutor, curator, judicial adviser, guardian, executor, administrator, trustee, mandatary or in any other capacity where the services are by law or custom usually gratuitous.” To charge, &c., remuneration for services.

4. The following paragraph is added to section 2 of the act 55-56 Victoria, chapter 79, after paragraph 15, as enacted by section 7 of the act 63 Victoria, chapter 63: § added to Id., s. 2.

“16. To give bonds for the faithful performance of any contract entered into with any person or corporation by any person or corporation.” To give surety bonds.

5. Section 5 of the act 55-56 Victoria, chapter 79, is replaced by the following: Id., s. 5, replaced.

“5. The company may be surety upon any bond required in any judicial proceedings, and, subject to the discretion of the court, judge or official receiving such bond, the surety of the company shall suffice in all cases where two sureties are now required.” To become judicial surety.

The company may arrange for, receive and recover if necessary, such remuneration as may be agreed upon for being such surety. Remuneration therefor.

The company may execute the security bond by the manager or secretary, or any officer authorized for the purpose by resolution of the executive committee, signing it for the company and attaching the company's seal thereto. Bond how executed.

A complete record of all such bonds shall be kept at the head office of the company and shall be at all hours open for the inspection hereinafter provided.” Record of bonds, &c.

6. This act shall come into force on the day of its sanction. Coming into force.

CHAP. 74

An Act to amend the charter of the Imperial Trust Company

[Assented to 9th March, 1906]

Preamble.

WHEREAS the Imperial Trust Company, a body politic and corporate, incorporated by the Legislature of the Province of Quebec, 5 Edward VII, chapter 79, is desirous of obtaining further powers granted by its said act of incorporation, to wit. for authorization to empower the said company to receive money on deposit and allow interest on the same, with other powers incidental thereto;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

5 Ed. VII, c.
79, s. 3,
amended.
Money on
deposit.

1. The act 5 Edward VII, chapter 79, is amended by the addition to section 3 of the following paragraphs:

" 17. To receive money on deposit and allow interest on the same;

Bills of
exchange,
&c.

" 18. To purchase bills of exchange and generally do an exchange business with Great Britain and Ireland, British possessions and foreign countries."

Coming into
force.

2. This act shall come into force on the day of its sanction.

CHAP. 75

An Act to amend the act 3 Edward VII, chapter 102, as amended by the act 5 Edward VII, chapter 71, and to change the name of the "Financial Corporation" to "The Dominion of Canada Trust Corporation."

[Assented to 9th March, 1906]

Preamble.

WHEREAS the Financial Corporation has, by its petition, prayed that the act 3 Edward VII, chapter 102, incorporating the said company, and the act 5 Edward VII, chapter 71, amending its charter, be amended by changing the name of the : "Financial Corporation" to: "The Dominion of Canada Trust Corporation," and to authorize it to issue bonds, and otherwise to amend the act incorporating the company and the act amending its charter, and has prayed for the passing of an act to that effect; and whereas it is expedient to grant the prayer of the said petition ;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

1. The corporate name of the said company is hereby changed, ^{Name} and the said company shall hereafter be known as: "The Dominion of Canada Trust Corporation," and all the rights, ^{changed, &c.} powers and privileges already possessed by the said company shall belong to the said company under the substituted name as fully as if the name had not been changed.

2. If authorized by by-law, sanctioned by a vote of not less ^{Powers of} than two-thirds in value of the subscribed stock of the company ^{directors re-} represented at a general meeting duly called for considering the ^{specting} by-law, the directors may, from time to time: ^{finances.}

a. Raise or borrow money upon the credit of the company;

b. Limit or increase the amount to be borrowed;

c. Issue bonds, debentures or other securities of the company and pledge or sell the same for such sums and at such prices as may be deemed expedient; but no such bonds, debentures or other securities shall be for a less sum than one hundred dollars each;

d. Hypothecate, mortgage or pledge the real or personal property of the company, or both, to secure any such bonds, debentures or other securities and any money borrowed for the purposes of the company.

The limitations and restrictions contained in this section shall not apply to the borrowing of money by the company on bills of exchange or promissory notes made, drawn, accepted or endorsed by or on behalf of the company.

3. The bonds, debentures and other securities of the company may be made assignable between the company and the ^{Assignment} person to whom the same may be issued. ^{of bonds, &c.}

4. Any bonds, debentures or other securities may be issued ^{Bonds may} at a discount, premium or otherwise, and with any special ^{be issued at} privileges as to redemption, surrender, allotment of shares, ^{a premium,} attending and voting at general meetings of the company, ^{&c.} appointment of directors and otherwise.

5. Article 4655 of the Revised Statutes, as amended by the ^{R.S., 4655} act 2 Edward VII, chapter 30, section 1, shall not apply to ^{not to apply.} this company.

Commence-
ment of
operations.

6. The company shall commence its operations within three years from the coming into force of this act.

Coming into
force.

7. This act shall come into force on the day of its sanction.

CHAP. 76

An Act to amend the charter of *Le Crédit Municipal Canadien*

[Assented to 9th March, 1906]

Preamble.

WHEREAS *Le Crédit Municipal Canadien* has, by petition, prayed for an act to amend its charter, the acts 3 Edward VII, chapter 106, and 4 Edward VII, chapter 87, and whereas it is expedient to grant its prayer;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

3 Ed. VII, c.
106, art. 5,
clause 1, re-
placed.
Object of
company.

1. The first clause of article 5 of the act 3 Edward VII, chapter 106, is replaced by the following:

“ **5.** The object of the company is to carry on, by means of loans, purchase or otherwise, for itself or for third parties, all kinds of industrial, moveable and immoveable operations; to perform all kinds of public and private works, and in particular to effect investments of capital in undertakings and works of municipal improvement; and, in connection with such objects, it may:”.

Id., 33, re-
placed.

2. Article 33 of the said act is replaced by the following articles:

Loans may
be contract-
ed, &c.

“ **33.** The company may contract loans upon its credit or in connection with its investments, by means of issues of bonds, debentures or otherwise.

Conditions,
&c., of loans,
&c.

“ **33a.** The board of management is authorized, without the intervention of the general meeting, to determine the conditions, the manner of issue and the repayment of such loans.”

Art. added
after id., 49.

3. The following articles are added after article 49 of the said act:

Annual state-
ment of af-
fairs.

“ **49a.** The statement to be submitted every year to the ordinary general meeting of the shareholders shall be drawn up under the direction of the board of management which

shall have full power to determine the value of the company's assets.

" 49b. The report of the inspector or inspectors appointed by the general meeting, in accordance with the company's charter, shall be submitted to the general meeting. Inspectors' report.

" 49c. The report of such inspector or inspectors may serve as a basis for establishing the company's assets and profits and for justifying the declaration and payment of dividends." Report to be basis for certain action, &c.

4. The following article is added after article 51 of the said act, as replaced by the act 4 Edward VII, chapter 87, section 12: Art. added after id., 51.

" 51a. It shall be lawful for the board of management, with the written consent of the shareholders, to amend, by by-law approved by the general meeting, articles 50 and 51 and paragraphs 1, 2 and 3 of article 51 as follows: Amendment of id., 50 and 51 by by-law of company and what to comprise.

1. The net proceeds, after deducting all charges and sinking funds, including those connected with the original organization, immoveables, moveables, materials and doubtful debts shall constitute the profits of the company; Profits.

2. Upon such profits shall be levied:

a. An amount equal to at least five per cent. of such profits as a general reserve fund; and Division of profits.

b. The amount necessary to pay cumulative interest at seven per cent. per annum on the preferred shares first, and afterwards non-cumulative interest at seven per cent. per annum on ordinary shares.

3. The payment of such profits shall be allotted at the rate of twenty per cent. to the board of management and of eighty per cent. to the shareholders. Nevertheless, out of the said eighty per cent., the general meeting may, on the proposition of the board of management, decide all new returns as well as the levying of the sums destined to the creation of supplementary reserve funds or provident funds, the amount whereof it shall determine." Payment thereof.

5. This act shall come into force on the day of its sanction. Coming into force.

CHAP. 77

An Act to incorporate the Quebec Paper Box Company

[Assented to 9th March, 1906]

Preamble.

WHEREAS Georges Elie Amyot, merchant, Louis Joseph Adjutor Amyot, merchant, Horatio Euclide Joseph Amyot, clerk, all three of Notre Dame de Québec; Adélard Bertrand, chief accountant, Joseph Louis Morency, clerk, both of the city of Quebec, have, by their petition, prayed to be incorporated, as a joint stock company for the purpose of manufacturing boxes and of acquiring and carrying on similar commercial undertakings;

Whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

Persons incorporated.

1. Georges Elie Amyot, merchant; Louis Joseph Adjutor Amyot, merchant; Horatio Euclide Joseph Amyot, clerk, all three of Notre Dame de Québec; Adélard Bertrand, chief accountant, and Joseph Louis Morency, clerk, both of the city of Quebec, and all other persons who are now or who may hereafter become shareholders, are hereby constituted a body politic and corporate under the name of the "Quebec Paper Box Company," for the purpose of carrying on the business of manufacturing and dealing in packing boxes in every phase of the business.

Name.

Power to acquire, &c., assets of any firm, &c.

2. The company shall have the right to acquire the assets and good will of any firm or company of the same nature, and also to acquire the shares of any company manufacturing and dealing in boxes and may pay for the same wholly or in part, either in cash, in bonds or in paid up shares of the company as the directors may deem advisable.

Power to acquire immoveables, &c.

3. The company is also authorized to acquire, by purchase lease or otherwise, and to alienate the moveables and immoveables which it may deem necessary for the carrying on of its business, including factories, stores, warehouses and other establishments, and to accept immoveable properties, properties and mortgages on immoveables in payment or security of existing debts.

Capital stock and shares.

4. The capital of the company shall be fifty thousand dollars, divided into five hundred shares of the par value of one hundred dollars each.

5. The company shall have power, from time to time, by resolutions passed at special meetings of the shareholders held for the purpose and with the consent of two-thirds of the shareholders present or represented at such meetings, to increase its capital to the sum of three hundred thousand dollars by the issue of additional stock to such amount as may be necessary for the extension and development of the company's business.

Increase of capital stock.

6. The company shall have power to issue mortgage bonds or debentures subject to the general law respecting registration, payable in such manner and at such rate of interest, not exceeding six per cent, as may be determined, to an amount not exceeding two-thirds of the paid up capital of the company.

Power to issue mortgage bonds, &c.

7. Georges Elie Amyot, Louis Joseph Adjutor Amyot, and Adéland Bertrand shall be the first or provisional directors of the company.

Provisional directors.

8. The head office of the company shall be in the city of Quebec, and the provisional directors shall remain in office until the first election of directors.

Head office and term of office of provisional directors.

9. At such first annual meeting and at subsequent annual meetings, three directors shall be elected, who shall choose one of their members as president, and three directors shall form a quorum.

Election of directors at first meeting, &c.

10. On a resolution of the board of directors, approved by a general meeting of the shareholders, the number of directors may be increased to five.

Increase in number of directors.

11. The provisional directors or directors of the company may accept and receive, in payment of all shares subscribed in the company, immoveables, factories, warehouses, stores, establishments, stocks-in-trade, chattels, lands, merchandize, book-debts, notes, bills of exchange, contracts, agencies, trademarks and other things, including the good-will of any person or company doing a similar business to that of the company, and they may hand over to such person or company paid up shares of the capital stock of the company, in full or partial payment; and such shares so issued shall afterwards be considered as fully paid up and not liable to calls; the whole nevertheless subject to the tax imposed by the act 5 Edward VII, chapter 15.

Power to receive immoveables, &c., in payment of shares.

Proviso.

12. This act shall come into force on the day of its sanction.

Coming into force.

C H A P. 78

An Act to incorporate the Dominion Corset Company

[Assented to 9th March, 1906]

Preamble.

WHEREAS Georges Elie Amyot, merchant, Louis Joseph Adjutor Amyot, merchant, both of Notre Dame de Québec; Adélarde Bertrand, chief accountant, Joseph Louis Morency, clerk, and Joseph Anatole Chiquette, commercial traveller, all three of the city of Quebec, have, by their petition, prayed to be incorporated as a joint stock company for the purpose of carrying on the business of making clothes and corsets and of acquiring and carrying on similar commercial undertakings;

Whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

Persons incorporated.

1. Georges Elie Amyot, merchant, Louis Joseph Adjutor Amyot, merchant, both of Notre Dame de Québec; Adélarde Bertrand, chief accountant, Joseph Louis Morency, clerk, and Joseph Anatole Chiquette, commercial traveller, all three of the city of Quebec, and all other persons who now are, or who may hereafter become shareholders, are hereby constituted a body politic and corporate under the name of the "Dominion Corset Company" for the purpose of carrying on the business of making and dealing in clothes and corsets in every phase of such business.

Name.

Power to acquire, &c., assets, &c., of certain firms.

2. The company shall have the right to acquire the assets and good will of any firm of the same nature as itself, and also to acquire the shares of any company carrying on the business of making and dealing in clothes and corsets, and pay for the same, wholly or in part, either in cash, in bonds or in paid up shares of the company as the directors may deem advisable.

Power to acquire immoveables, &c.

3. The company is also authorized to acquire, by purchase, lease or otherwise, and to alienate the moveables and immoveables which it may deem necessary for the carrying on of its business, including factories, stores, warehouses and other establishments and to accept immoveable properties and mortgages on immoveables in payment or security of existing debts.

Capital stock and shares.

4. The capital of the company shall be three hundred thousand dollars, divided into shares of the par value of one hundred dollars each.

5. The company shall have power, from time to time, on resolutions passed at special meetings of the shareholders held for the purpose, and with the consent of two-thirds of the shareholders present or represented at such meetings, to increase its capital to the sum of one million dollars by the issue of additional stock to such amount as may be necessary for the extension and development of the company's business. Increase of capital stock.

6. The company shall have the power to issue mortgage bonds or debentures subject to the general law respecting registration, payable in such manner and at such rate of interest, not exceeding six per cent, as may be determined and to an amount not exceeding two-thirds of the paid up capital of the company. Power to issue mortgage bonds, &c.

7. Georges Elie Amyot, Louis Joseph Adjutor Amyot and Adélarde Bertrand shall be the first or provisional directors of the company. Provisional directors.

8. The head office of the company shall be in the city of Quebec, and the provisional directors shall remain in office until the first election of directors. Head office, and term of office of provisional directors.

9. At such first annual meeting and at subsequent annual meetings, five directors shall be elected, who shall choose one of their members as president and three directors shall form a quorum. Election of directors at first meeting, &c.

10. The provisional directors or directors of the company may accept and receive in payment of all shares subscribed in the company immoveables, factories, warehouses, stores, establishments, stocks-in-trade, chattels, lands, merchandize, book-debts, notes, bills of exchange, contracts, agencies, trademarks and other things, including the good-will of any person or company doing a similar business to that of the company, and they may hand over to such person or company paid up shares of the capital stock of the company, in full or partial payment, and such shares so issued shall afterwards be considered as fully paid up and not liable to calls; the whole subject, nevertheless, to the tax imposed by the act 5 Edward VII, chapter 15. Power to receive immoveables, in payment of shares, &c. Proviso.

11. This act shall come into force on the day of its sanction. Coming into force.

CHAP. 79

An Act respecting the Sherbrooke Lumber Company

[Assented to 9th March, 1906]

Preamble.

WHEREAS the Sherbrooke Lumber Company, a corporation incorporated by letters patent issued in June 1903, under the Great Seal of the Province, has, by its petition, represented:

That it acquired from the Government of the Province of Quebec in June, 1903, timber limits having an area of three hundred and thirty-one miles, situate along the Pentecost and Riverin rivers, in the county of Saguenay;

That, in February, 1903, the Government of the Province of Quebec sold to one James Newton a lot of four thousand eight hundred and eighty acres, including the mouths of the said two rivers as well as the adjacent strips of land, less the lot on which the church and cemetery are situated;

That, when the Sherbrooke Lumber Company bought the timber limits along the Pentecost and Riverin rivers, it was entirely unaware of the private sale previously effected by the Government in favor of the said Newton of the lots aforesaid, and that bidders were not informed of such sale on the day that the timber limits were sold;

That it is impossible for the Sherbrooke Lumber Company to acquire, otherwise than by expropriation, the land it requires for the erection of a saw-mill, workshops and buildings, and the establishment of the wood-yards and wharves required for operating such timber limits;

Whereas the Department of Lands and Forests has represented that this legislation is in the public interest;

Whereas, by its petition, the said Sherbrooke Lumber Company has prayed that it be authorized to expropriate the lands above-mentioned, and it is expedient to grant its prayer;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

Power given
to acquire,
by expro-
priation, cer-
tain lands,
&c.

1. The Sherbrooke Lumber Company is authorized to acquire, by mutual agreement or by expropriation, the lands situated on the sand bank at the mouth of the Pentecost river and both sides of the mouth of the Riverin river, in the township of Fitzpatrick, county of Saguenay, which it may need for the working of its timber limits on such rivers, together with the beach and deep water lots adjoining such land, and all other strips of land and parts of beaches and beds of rivers in the said township which it may likewise need for roads as means

of communication, for flumes to carry water from the Riverin river to the said sand bank and for other improvements.

2. The expropriation authorized by this act shall be effect- Law to gov-
ed in accordance with the law respecting railways, and after ern expro-
detailed plans showing the necessity therefor shall have been priation and
prepared by an expert named by the Minister of Lands and when to take
Forests for the purpose, deposited in the Department of place.
Lands and Forests and approved by the Lieutenant-Governor
in Council.

3. This act shall come into force only upon the day fixed by Coming into
proclamation of the Lieutenant-Governor in Council, after the force of act.
report of the expert appointed by the Minister of Lands and
Forests to visit the premises, draw a descriptive plan, study
the pretensions of the respective parties and establish the
impossibility of an amicable understanding between them.

CHAP. 80

An Act to amend the charter of *La Compagnie Générale du Port de Chicoutimi*

[Assented to 9th March, 1906]

WHEREAS *La Compagnie Générale du Port de Chicoutimi* Preamble.
has, by its petition, represented that it is advisable that
its act of incorporation, 4 Edward VII, chapter 86, should be
amended in such manner as to more clearly define the rights
of the said company under subsection 1 of section 9 of the
said act, and to further extend the rights of the said company
under subsection 16 of section 9;

Therefore, His Majesty, with the advice and consent of the
Legislative Council and of the Legislative Assembly of Quebec,
enacts as follows :

1. The following section is inserted in the act 4 Edward VII, Section ad-
chapter 86, after section 7: ded to 4 Ed.
VII, c. 86,

"7a. The bonds, debentures or obligations issued in virtue of after 7.
the foregoing section shall, without being registered, constitute Effect of
a first privilege and mortgage upon the entire moveable and im- bonds upon
moveable property of whatsoever nature, present and future, of property of
the company, including its rights, franchises and assets of all company,
description, factories, machinery, works and materials; and all without reg-
such properties may be transferred by deed to one or more istration.

trustees to secure the payment of said bonds, upon such terms and conditions as may be approved by the directors authorized by a general meeting of shareholders."

2. Subsection 1 of section 9 of the said act is replaced by the following:

Id., 9, § 1,
replaced.

Power of
company to
construct,
&c., certain
works.

" 1. Construct, equip, establish or acquire, by purchase, lease or otherwise, railways or sidings connecting the port of Chicoutimi with any railway passing through or within ten miles of the limits of the town of Chicoutimi, and with all the municipalities within a radius of ten miles of the said limits. "

3. Subsection 16 of section 9 of the said act is replaced by the following:

Id. s. 9, § 16,
replaced.

Power of
company to
sell, &c.,
franchise,
&c., prop-
erty, &c.

" 16. Sell, transfer and dispose of its franchises and any or all of the rights, privileges and powers granted to or possessed by the company under or by virtue of this act, and also its undertakings or any portion thereof, to any incorporated company or companies whose objects are wholly or in part identical with those of this company, for such price and consideration, and on such terms and conditions as it may think advisable, and particularly for the shares (whether preference or common,) bonds, debentures or other securities of any such company. "

4. Section 10 of the said act is replaced by the following:

Id., s. 10, re-
placed.
Application
of certain
act.

" 10. The provisions of the Joint Stock Companies' General Clauses act shall apply to this act and shall form part thereof, save in so far as they may contravene or be inconsistent with the provisions thereof. "

5. This act shall come into force on the day of its sanction.

Coming into
force.

CHAP. 81

An Act to incorporate the T. P. Pelletier Company

[Assented to 9th March, 1906]

Preamble.

WHEREAS the Honorable Thomas Phillippe Pelletier, Legislative Councillor and merchant, of Trois Pistoles; the Honorable Louis Philippe Pelletier, of the city of Quebec, advocate and King's Counsel; Messrs. Thomas Napoléon Pelletier, of Quebec, civil employee; Jean Baptiste Deschenes, Joseph Louis Ruel, Alfred Levesque, Cyprien Lavoie and Martial Belzil, all of Trois Pistoles, and employees in the business establish-

ment of the said Honorable T. P. Pelletier, have, by their petition, represented that they wish to be incorporated as a joint stock company for the purpose of assuring and perpetuating the existence of the said business establishment founded over fifty years ago at Trois Pistoles by the said Honorable T. P. Pelletier;

That, to attain such object, and in view of the fact that the children of the said Honorable T. P. Pelletier are unable to attend to the business, it has been unanimously deemed advisable by the parties interested that certain persons, and amongst others the present and future employees and assistants in the business establishment, shall be co-workers and participate to a certain extent in the profits of the said establishment;

That, nevertheless, the said Honorable T. P. Pelletier and his children desire that nothing be disturbed for the moment in the management of the business, and it is expedient to grant the prayer of such petition;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

1. The Honorable Thomas Philippe Pelletier, Legislative Councillor and merchant, of Trois Pistoles; the Honorable Louis Philippe Pelletier, of the city of Quebec, advocate and King's Counsel; Messrs. Thomas Napoléon Pelletier, of Quebec, civil employee, Jean Baptiste Deschenes, Joseph Louis Ruel, Alfred Levesque, Cyprien Lavoie and Martial Belzil, all of Trois Pistoles, employed in the business establishment of the said Honorable T. P. Pelletier, and all others who may hereafter become shareholders in the said company, are hereby incorporated as a joint stock company with limited liability under the name of "The T. P. Pelletier Company." Persons, incorporated. Name.

2. The head office of the company shall be in the parish of Trois Pistoles. Head office.
Trois Pistoles. county of Temiscouata.

3. The capital stock of the company shall be one hundred and sixty thousand dollars, divided into sixteen hundred shares of one hundred dollars each, and the capital may, from time to time, be increased to two hundred thousand dollars by a vote of the majority in value of the shareholders present or represented by proxy at any general meeting of the company or any special meeting convened for the purpose. Capital stock. Shares. Increase thereof.

4. The powers and privileges conferred on the company are the following: Powers, &c., of company.

a. To acquire, sell, hypothecate and alienate moveable and immoveable property or otherwise dispose of the same;

b. To acquire, possess and operate the wholesale and retail business establishments at Trois Pistoles or elsewhere and to carry on all kinds of wholesale and retail business;

c. To do all things necessary in connection with the maintenance, alteration and repair of the said moveable and immoveable property;

d. To issue such bonds and debentures of the company as the directors may deem expedient;

e. To give and accept bonds, promissory notes, bills of exchange, cheques or other titles and securities, whether notarial or not, hypothecary or otherwise, for the payment and security of any moneys due by or to the company;

f. To discount commercial paper with banks;

g. To exercise all other powers which may be necessary for the lawful and suitable accomplishment of the obligations and objects of the company and for the carrying out of its business.

Proviso.

The value of the immoveables owned by the company shall not, however, exceed the sum of two hundred and fifty thousand dollars.

Board of directors.

5. The affairs of the company shall be carried on, managed and administered by a board of directors consisting of three directors, whose number may be, from time to time, increased according to the by-laws of the company, but shall not exceed nine.

Power of board to make certain by-laws.

6. The directors may make by-laws for the government of the company and the management of its affairs; for determining the number, qualifications and remuneration of the directors; for the appointment of a president and manager and other officers of the company, if necessary; for determining the manner and conditions under which shares shall be issued; for requiring that the transfer of such shares shall be made only with the consent of the board of directors and on such other conditions as may be deemed expedient; for determining the date and place where the meetings of the shareholders and directors shall be held, as well as the manner of convening them; for appointing an executive committee, if necessary, with such powers as the board of directors may grant to it, and further for determining all the details respecting the administration of the company and its internal government.

Power to borrow money, &c

7. The directors are authorized to effect such loans as they may deem expedient for the operations of the company, and to issue bonds in accordance with the by-laws of the company to that effect.

8. The issue of such bonds shall be authorized by at least two-thirds in value of the shareholders present at any general meeting or at any special meeting convened for the purpose of considering such issue. Authorization required to issue bonds.

9. The total amount of bonds or debentures shall not exceed seventy-five per cent. of the paid up stock of the company. Total amount of issue of bonds.

10. As security for the payment of such bonds or debentures, the directors of the company are authorized to give mortgages or moveable or immoveable securities. Mortgage as security for bonds, &c.

11. The capital stock of one hundred and sixty thousand dollars shall consist of cash, accounts, credits and stock-in-trade of the said Honorable T. P. Pelletier, including the one hundred and ten thousand dollars referred to in the family compact hereinafter mentioned. The said Honorable T. P. Pelletier and his children or children alone, as the case may be, shall thus hold paid up stock or shares in the said company to the total amount of one hundred and sixty thousand dollars, divided amongst them according to the amount of their respective rights. Composition of capital stock.

12. The said Honorable T. P. Pelletier and, if occasion arises, the said L. P. Pelletier and T. Napoléon Pelletier alone, and their legal representatives in case of their death, are authorized to transfer, on such conditions as they may deem expedient, and even gratuitously, such number of shares as they may deem proper, out of the said sixteen hundred shares, to such employees of the said business establishment or to the said company and to such other persons as they may deem advisable, and in such proportion and under such restrictions as they may determine, with such rights of return and under such conditions as they may decide upon. They may further give to such persons or employees such preference as they may wish for the purchase at a reduced price of such other parts of the capital stock, and under such restrictions, conditions, right of return or redemption as they may determine. Power to transfer shares to employees for certain purposes.

13. During the lifetime of the said Honorable Thomas P. Pelletier, or so long as he may desire or be able to do so, he shall retain the position assigned him by the family compact hereinafter mentioned, and afterwards the said company shall continue the affairs of his said business establishment without interruption. Management of company during certain time.

14. Tutors to minors shall have the right to sell, at such price as they may deem advantageous, the whole or part of the stock Power of tutors to sell stock with-

out any formalities being required.

of the said company belonging to their wards, without being obliged to comply with the formalities and restrictions for the sale of the property of minors; and the said tutors and minors shall be bound to conform to the by-laws of the said company with regard to the sale of such stock.

Right to vote of tutors &c., at meetings of company.

15. At all general or special meetings of the said company, the tutors shall have the right to vote on behalf of the minors for the election of directors and upon all questions submitted, and such tutors may also be members of the board of directors.

Changes in family compact of 29th October, 1901, authorized.

Proviso.

16. The present survivors of the persons who signed the family compact between the said Honorable T. P. Pelletier and his children, before L. P. Sirois, notary, on the twenty-ninth of October, 1901, may make all changes and modifications in and to the same which they may deem expedient, provided they be unanimous in the opinion that such changes should be made. If such changes and modifications be deemed necessary, they shall be stated in an authentic deed, and from that moment they shall be valid and legal to all intents and purposes; provided always that such changes shall not affect the rights of the present or future creditors or debtors of the said business establishment.

Liabilities, &c., to be assumed by company.

17. The company shall assume the liabilities and obligations of the business establishment of the said Honorable T. P. Pelletier.

Issue of stock for value received in goods, &c.

Company substituted in right of certain person without formal transfer, &c.

18. The company may issue paid up stock for value received in kind, in goods or otherwise.

19. For the purpose of claiming what is, shall be, or was due to the said business establishment before the company succeeds to it and of paying what it owes, shall owe or owed, no transfer or notification or registration shall be necessary, the said company through the sole operation of the present act being substituted in the place and stead of the said business establishment and subrogated in all the rights whatsoever, hypothecary or otherwise, name, firm, actions, hypothecary rank and privilege of the said T. P. Pelletier and his children, the whole without novation or derogation.

What is done under act to be binding on certain persons.

20. All that shall be or may have been done under the present act shall bind and oblige the grandchildren, born and to be born, of the said Honorable T. P. Pelletier and their legal representatives.

Coming into force.

21. This act shall come into force on the day of its sanction.

C H A P. 82

An Act respecting McGill University

[Assented to 9th March, 1906]

WHEREAS the governors, principal and fellows of McGill College and University (hereinafter referred to as McGill University) have, by their petition, prayed that an act may be passed to define the powers of McGill University in respect of colleges of the said university situated elsewhere than in the Province of Quebec, and it is desirable to grant the prayer of the said petition; Preamble.

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

1. McGill University may permit colleges situate beyond the limits of the Province of Quebec to become colleges of McGill University, provided such colleges are authorized so to do by the law of the province of Canada, in which they are situate. University may permit certain colleges to be affiliated.

2. Trust funds held for the benefit of any such college shall be kept separate and distinct from funds which may now or hereafter be held for the benefit of McGill University. Application of trust funds of such colleges.

3. This act shall come into force on the day of its sanction. Coming into force.

C H A P. 83

An Act to define the investments in which the funds of the Trafalgar Institute may be placed, and to enlarge the scope thereof

[Assented to 9th March, 1906]

WHEREAS the Trafalgar Institute, a body corporate, duly incorporated by statute of the Province of Quebec, have, by their petition, represented that they are desirous of procuring an act to define the investments in which the funds of the said institute may be placed, and to enlarge the scope thereof; and whereas it is desirable to grant the petition of the said institute; Preamble.

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

Power given
to make cer-
tain invest-
ments.

1. The said Trafalgar Institute, in addition to the powers already appertaining thereto in respect to investments, are hereby authorized to invest their funds in bank shares and in bonds or stock of any legally constituted corporation.

Certain in-
vestments
ratified.

2. All investments in stocks, shares, bonds and debentures, made by the said institute before the passing of this act, shall be held to have been made within the powers of the said institute, and the same are hereby ratified and confirmed.

Coming into
force.

3. This act shall come into force on the day of its sanction.

CHAP. 84

An Act respecting school taxes in the city of Montreal and the school debentures of the said city

[Assented to 9th March, 1906]

Preamble

WHEREAS the Catholic School Commission of Montreal has, by petition, set forth that it is necessary to build schools in certain localities which are entirely deprived of the same, and to enlarge others which have become too small in consequence of the growth of the population;

Whereas it prays for authority to borrow an additional sum of two hundred and fifty thousand dollars to provide for the construction of such new schools and additions to the schools already built;

Whereas the said commission has likewise represented that its revenues are insufficient and that it is necessary to increase the school tax to give all the Catholic children of the city of Montreal the primary instruction to which they are entitled and which should be given them;

And whereas it is expedient to grant such prayer;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

54 V., c. 53,
s. 1. amend-
ed.

1. Section 1 of the act 54 Victoria, chapter 53, as amended by the acts 63 Victoria, chapter 99, section 1, and 5 Edward VII, chapter 90, section 1, is further amended by adding thereto the following subsections:

Additional
bonds to cer-
tain amount

"(d) The Catholic School Commission of Montreal is, nevertheless, authorized to issue, over and above the loans already

contracted by it, bonds or debentures for an additional sum may be issued.
of two hundred and fifty thousand dollars;

"(e) Such sum shall be employed exclusively in constructing or acquiring the following schools: a girls' school in the parish of St. Gabriel, a girls' school in the parish of St. Helene, a boys' school and a girls' school within the present limits of the parishes of St. Jacques and Sacré Cœur, and in enlarging, repairing or building a boys' school in the parish of St. Joseph. Application of proceeds thereof.

"(f) Such bonds or debentures shall be issued in conformity with the act 54 Victoria, chapter 53." Law to govern issue.

2. Section 1 of the act 34 Victoria, chapter 12, as amended by the acts 36 Victoria, chapter 33, section 1; 55-56 Victoria, chapter 61, section 1, and 4 Edward VII, chapter 50, section 1, is replaced by the following: 34 V., c. 12, s. 1, replaced.

"1. Section 23 of the act of this province, 32 Victoria, chapter 16, intituled: "An act to amend the law respecting education in this province," is amended in so far only as regards the amount to be paid by the corporation of the city of Montreal for the support of schools in the said city; and hereafter the corporation of the city of Montreal shall pay, for the support of schools of the said city, in lieu of a sum equal to three times the amount of the share of the Government grant to the said schools of the said city, as provided in and by the said section, a sum equivalent to four-tenths of a cent in the dollar on the total value of the taxable real estate in the said city, inscribed on panel No. 1 as defined by paragraph one of section 29 of the act of this province, 32 Victoria, chapter 16, and four-tenths of a cent in the dollar on the total value of the taxable real estate inscribed on panels Nos. 2 and 3 as also defined in paragraphs two and three of the said section 29 of the said last mentioned act." Amount to be paid by city of Montreal for support of catholic schools.

3. This act shall apply to all taxes imposed and payable after the first of May, 1906. Application of act.

4. This act shall come into force on the day of its sanction. Coming into force.

CHAP. 85

An Act to amend the acts 4 Edward VII, chapter 50, 5 Edward VII, chapter 91, and to interpret certain provisions of the act 54 Victoria, chapter 53, respecting the issue of bonds or debentures by the Protestant Board of School Commissioners of the city of Montreal.

[Assented to 9th March, 1906]

Preamble.

WHEREAS a petition has been presented by the Protestant Board of School Commissioners of the city of Montreal representing that it is expedient to amend the acts 4 Edward VII, chapter 50, 5 Edward VII, chapter 91, and to pass an interpretative enactment concerning the act 54 Victoria, chapter 53, in the manner hereinafter mentioned:

Whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

4 Ed. VII,
c. 54, s. 3,
amended.
Law to gov-
ern issue.

1. Section 3 of the act 4 Edward VII, chapter 50, is amended by adding thereto the following clause:

"Such additional bonds or debentures shall be issued in conformity with the act 54 Victoria, chapter 53."

5 Ed. VII, c.
91, s. 1,
amended.
Law to gov-
ern issue.

2. Section 1 of the act 5 Edward VII, chapter 91, is amended by adding thereto the following clause:

"Such additional bonds or debentures shall be issued in conformity with the act 54 Victoria, chapter 53."

Certain
issues of
bonds to be
subject to
provisions of
54 V., c. 53,
&c.

3. Any issue of bonds made or to be made in virtue of the said two last mentioned acts shall be subject to the provisions and conditions and shall be entitled to the warranties provided by the act 54 Victoria, chapter 53, and especially by section 3 thereof.

Board has
had and con-
tinues to
have power
to re-issue
bonds upon
maturity.
Proviso.

4. The act 54 Victoria, chapter 53, confers, and has since its enactment conferred upon the said Protestant Board of School Commissioners of the city of Montreal the power to re-issue bonds or debentures upon the maturity of any issue thereof, provided that at no given moment shall the total amount of such bonds or debentures outstanding exceed that allowed by law.

Coming into
force.

5. This shall come into force on the date of its sanction.

CHAP. 86

An Act to erect into a separate school municipality the parish
of St. Michael the Archangel, of Montreal

[Assented to 9th March, 1906]

WHEREAS the parishioners of the parish of St. Michael the Archangel, of Montreal, have, by their petition, represented that it is necessary to erect and maintain, in and for the parish of St. Michael the Archangel, of Montreal, a school for the education of the English-speaking Catholic children of the said parish;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

1. Any number of proprietors, occupants, tenants or rate-payers professing the Catholic religion, speaking the English language, in any of the following school municipalities to wit: Ville St. Louis, and St. John of the Cross, both of Ville St. Louis, St. Denis, St. Edward's, and of the municipality of Villerey, all of St. Denis Ward, of Montreal, and the town of Outremont, all in the island of Montreal, or any other school districts that may be formed of any portion or portions of any of the above-named school districts, may, until the said school districts or school municipalities shall form part of the city of Montreal for school purposes, unite and establish and maintain one or more separate schools, by giving, in writing to the president or to the secretary-treasurer of the above-mentioned school districts of which they form part, a notice by which they express their intention of withdrawing from the said school municipalities to form a separate corporation under the administration of three special trustees, which said corporation shall be called "The Corporation of Catholic Trustees of the separate schools of the parish of St. Michael the Archangel of Montreal."

Certain proprietors &c., of the parish of St. Michael the Archangel constituted a school corporation.

2. This corporation will be formed in the same manner as school trustees, with the same rights and powers.

Formation and powers.

3. The notice of dissent above mentioned will be given and served in the manner set forth in article 124 of the act 62 Victoria, chapter 28.

How notice of dissent to be given.

4. This dissent will only take effect on the following first day of July which follows the service of the notice mentioned in the preceding article.

When to take effect.

Notice to be
given by cer-
tain rate-
payers.

5. Any Catholic rate-payer speaking the English language, in any of the above mentioned cases, may become subject to the control of the trustees of the said separate school, or become a member of the school board to which he formerly belonged, by giving simultaneously a notice in writing before the first of May, to the president and secretary-treasurers of each of the interested corporations.

Moneys to be
received by
trustees, &c.,

6. The trustees will receive from the said school municipalities, from whose control they were detached, a part of the public school fund in the same proportion as regards the amount granted to these school districts as the number of children attending their school is to the total number of children attending the schools in the said school districts.

Coming into
force.

7. This act shall come into force on the day of its sanction.

CHAP. 87

An Act to amend the law respecting education in this Province, as regards certain powers of the Roman Catholic Board of School Commissioners of the city of Quebec

[Assented to 9th March, 1906]

Preamble.

WHEREAS the Roman Catholic Board of School Commissioners of the city of Quebec has, by petition, represented that it is necessary to build, enlarge and improve school houses in the city of Quebec and for such purpose to borrow considerable sums of money;

Whereas section 35 of the act 32 Victoria, chapter 16, seems to limit its power to borrow any amount exceeding one hundred thousand dollars, repayable within a delay not exceeding twenty years;

Whereas it is in the interest of the said board to be enabled to borrow a sum of money, not exceeding two hundred and fifty thousand dollars, redeemable or repayable within a delay not exceeding fifty years and to amend the said act accordingly, and whereas it is expedient to grant its prayer;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

School Com-
missioners
authorized to

1. The Roman Catholic Board of School Commissioners of the city of Quebec, notwithstanding the provisions to the con-

trary contained in section 35 of the act 32 Victoria, chapter 16, may, for the purpose of building, enlarging and improving school houses in the city of Quebec, issue bonds, to an amount not exceeding two hundred and fifty thousand dollars, redeemable by annuities or semi-annuities or in any other manner which the board may adopt, in fifty years at the latest; and section 35 of the act 32 Victoria, chapter 16, is hereby amended accordingly.

2. This act shall come into force on the day of its sanction. Coming into force.

CHAP. 88

An Act to incorporate the Laval School of Pharmacy in Montreal

[Assented to 9th March, 1906]

WHEREAS Joseph Edouard Wilfrid Lecours, Jos. Contant, Séraphin Lachance, A. D. Quintin, Henri Lanctot, Joseph Boutin, Alfred Laurence and Edmond Vadeboncœur, all druggists, of the city and district of Montreal, have, by their petition, prayed to be incorporated under the name of the Laval School of Pharmacy in the city of Montreal, in the district of Montreal;

Whereas it is expedient to grant the prayer of the said petitioners;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

1. The above named petitioners and all persons who may hereafter become members of the school, in accordance with the rules hereinafter set forth, are constituted a corporation under the name of "The Laval School of Pharmacy in Montreal." Persons incorporated. Name.

2. The object of the said corporation is the teaching of pharmacy in the city of Montreal. Object of corporation.

The corporation may for such purpose affiliate with Laval University. Affiliation with Laval University.

3. The said corporation shall have all the rights and powers pertaining to civil corporations. Corporate powers.

It may acquire, possess and alienate, for its own use and purposes, all kinds of moveable and immoveable property for the purposes of revenue, not exceeding ten thousand dollars.

It may appear before the courts, borrow or negotiate notes to order, bills of exchange and other commercial securities for the purposes of the corporation, by complying with the formalities required in that respect by the by-laws of the corporation.

Power to make by-laws for certain purposes.

4. It may make all by-laws that may be deemed advantageous or necessary for the management and administration of the property of the corporation; for the admission of its members; for the appointment of the professors and of their president; for the drawing up of a course of studies; for the distribution, the subdivision, or increase of chairs of teaching; for the price of admission to the lectures; for the conduct and deportment of the students; for the examinations required to be passed for obtaining diplomas, and generally for the development and progress of the school and of the teaching of pharmacy, and the carrying out of all the objects of the corporation; provided such by-laws are not inconsistent with the provisions of this act.

Proviso.

Coming into force in certain event.

Such by-laws shall not, however, in the event of affiliation, come into force until they have been sanctioned by His Grace the Archbishop of Montreal.

Appointment of professors and president.

5. The professors and the president of the corporation shall be appointed by such corporation by a majority of votes of the members present, according to the by-laws in force in that respect.

Ratification of appointment.

Such appointment shall be ratified by the Archbishop of Montreal and the appointment shall be definite only from the date of ratification.

Removal of professors, &c.

6. The professors of the school may be removed for valid cause by a vote of two-thirds of all the members of the corporation; but the said removal must also be approved by the Archbishop of Montreal. From and after such approval, the professor so removed shall cease to be a member of the corporation if he form part thereof.

Corporate seat.

7. The corporate seat of the corporation shall be in the city of Montreal.

Quorum of meetings.

8. The quorum of the meetings of the corporation shall be at least three members.

Other quorum.

Another quorum may be determined by a by-law of the corporation, duly approved according to the provisions of section 4 of this act.

Privilege of vice-rector of Laval.

9. The vice-rector of Laval University in Montreal shall have the right to be present at all meetings of the corporation and to give his opinion.

10. The corporation hereby created shall constitute the Laval School of Pharmacy in Montreal. School of pharmacy constituted.

11. Nothing in this act shall affect the powers, rights and privileges granted to Laval University by royal charter from Her Majesty Queen Victoria, dated the 8th December, 1852, nor by the apostolic constitution *Jam dudum*, dated the 2nd February, 1880. Certain powers, &c., not affected.

12. This act shall come into force on the day of its sanction. Coming into force.

CHAP. 89.

An Act to incorporate the Association of Opticians of the Province of Quebec

[Assented to 9th March, 1906]

WHEREAS Maurice R. de Meslé, Rodrigue Carrière, Narcisse Beaudry, Victor Lévesque and Patrick G. Mount have, Preamble.

by their petition, represented that they have associated themselves with others, under the name of the Association of Opticians of the Province of Quebec, with a view of promoting the social and professional advancement of the members of the said association, the advancement of the science of optics by the establishment of laboratories, by scientific investigations and the diffusion of such science by the establishment of special courses of lectures, and the placing of the profession of optician upon a regular footing by the granting of diplomas and other certificates of capacity and efficiency, and that the said petitioners are of opinion that if they and their successors were incorporated and vested with the powers above mentioned, they might more effectively attain the object of their association;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

1. The said Maurice R. de Meslé, Rodrigue Carrière, Narcisse Beaudry, Victor Lévesque and Patrick G. Mount and all who are now members of the said Association of Opticians of the Province of Quebec, shall be and constitute a body politic and corporate for the purpose aforesaid under the name of "The Association of Opticians of the Province of Quebec", under which name they shall have perpetual succession and a common seal, with power to break or renew the same at their discretion, and under such name may sue and be sued before any court Persons incorporated. Name. Corporate powers.

Amount of immoveables to be held. in this Province, and may purchase and possess all moveables and immoveables, provided the immoveables so held shall not exceed the value of fifty thousand dollars, and they may hypothecate, sell and alienate the same, and acquire others in lieu thereof.

Members of corporation. **2.** The corporation, in addition to the present members of the Association of Opticians of the Province of Quebec, shall consist of all such persons as now are or who have been opticians upon their own account previously to the passing of this act, and who have been examined in such manner and upon such subjects as the council of the corporation may deem expedient, or who have received certificates of competency for admission to membership, and all such members shall contribute to the funds of the corporation as shall be provided by its by-laws.

Rights of certain persons not affected. This section shall not be deemed to include persons who are engaged in the mere trade of selling spectacles, and nothing in the present act shall affect the rights of physicians, surgeons oculists and opticians who do not wish to be members of the said association.

General meetings. **3.** The general meetings of the corporation shall be held from time to time, as hereinafter mentioned. There shall be a council which will direct, manage and administer the affairs of the corporation, and the said annual meetings and those of the council shall have the entire control and administration of the corporation. At all general meetings and meetings of the board, the majority of the members present who are respectively entitled to vote, shall decide the questions submitted to such meetings, and the person presiding shall, when the votes are equally divided, have a second or casting vote.

Council of management.

Decision of questions.

Composition of first board. **4.** The said board shall consist of nine members and the said Maurice R. de Meslé, Rodrigue Carrière, Narcisse Beaudry, Victor Lévesque and Patrick G. Mount, as well as P. Calixte Lacasse, William H. Garretcie, George Guenet and John L. Williams shall be the first members of the board of the corporation, and they shall continue to be so until the first general meeting for the election of officers has taken place, in accordance with the provisions of this act.

Term of office.

Annual and other meetings. **5.** It shall be lawful for the members of the corporation to have general meetings once a year, and also special general meetings as the council may deem advisable from time to time. The annual general meetings shall take place alternately in the cities of Montreal and Quebec on the first Monday in May of each year or the nearest day thereto as may be decided by the council; and, moreover, upon a written requisition of ten members of the cor-

When and where to be held.

poration having the right to vote calling upon the council to call a special general meeting of the members of the corporation for the purpose of taking into consideration the objects specified in the requisition, a meeting shall accordingly be convened by the said council within such delay as the latter may deem advisable, after notice thereof and of its object shall have been given, in accordance with the requirements of the by-laws of the corporation.

6. At the general meeting held each year, the members of the corporation shall proceed to appoint and elect the members of the council by ballot, and shall appoint two auditors of the corporation's accounts. Election of members of council and auditors.

7. In the event of the death, resignation or removal of a member of the council or of an auditor, it shall be lawful for the members of such council themselves to appoint or elect a person, who must be a member of the said corporation, to fill the place left vacant by the said member of the council or the said auditor, and the person so appointed shall, in all respects and until the following annual election, represent the person in whose place he shall have been appointed. Vacancies in council, &c.

8. The council, whose appointment is prescribed by section 4 of this act, and the council of the corporation, for the time being shall elect a president, vice-president, secretary and treasurer, from among the members thereof, at the first meeting to be held after the selection of the council. Election of president, &c.

9. It shall be lawful for the council at any of its meetings, with the consent of three-quarters of the members present, but not otherwise, to expel any member of the said corporation, and the latter shall thereupon cease to form part thereof. Expulsion of members.

10. The council of the said corporation, for the time being, either itself or through any competent person whom it may deem advisable to appoint, shall examine and decide upon the admission of the members of the said corporation, shall grant the certificates and diplomas it may deem expedient to grant to those who it may consider qualified to become members, and may elect honorary members or corresponding members of the corporation, who shall enjoy all the privileges conferred by it, with the exception of taking part in the meetings. The said council shall also appoint and may remove all subordinate officers of the corporation, and shall have the exclusive control and administration of the moveables and immoveables of the corporation, subject to the by-laws thereof; but no property of the corporation shall be sold or hypothecated without the Admission of members in future. Appointment and removal of subordinate officers.

approval and concurrence of a general meeting of the members, specially convened for the purpose.

Power to
make by-
laws, &c., for
certain pur-
poses.

11. The council of the corporation shall have power to adopt all statutes, rules and by-laws which may be deemed necessary for carrying out the purposes of this act, to impose a penalty not exceeding ten dollars for every infringement of the by-laws, which fine shall be paid to the corporation, and it may, from time to time, amend, repeal the said statutes, rules or by-laws, or substitute others in lieu thereof; and such statutes, rules and by-laws may also be amended or repealed, wholly or in part, at any annual general meeting of the corporation, provided previous notice has been given of the intention so to do, such notice must be in accordance with the by-laws in force for the time being.

Recovery of
sums due to
corporation.

12. All sums of money, subscriptions and moneys due and payable to the corporation shall be recoverable before any competent court of civil jurisdiction.

Corporate
seat.

13. The corporate seat of the association shall be in the city of Montreal.

Citation of
act.

14. This act may be cited as the "Act of the Association of Opticians of the Province of Quebec."

Coming into
force.

15. This act shall come into force on the day of its sanction.

CHAP. 90

An Act to declare in what investments the funds of the Protestant Hospital for the Insane may be placed, to enlarge the scope thereof, and to ratify investments already made

[Assented to 9th March, 1906]

Preamble.

WHEREAS the Protestant Hospital for the Insane, a body corporate, duly constituted by statute of the Legislature of the Province of Quebec, have by their petition prayed for the passing of an act to declare in what investments the funds of the said hospital may be placed, to enlarge the scope thereof, and to ratify investments already made; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

1. The Protestant Hospital for the Insane, in addition to Hospital the powers appertaining thereto in respect to investments, authorized are hereby authorized to invest their funds in loans secured by to make certain investments. hypothec or mortgage on immoveable property or real estate in Canada, and in bank shares, and bonds or stock of any legally constituted corporation.

2. All investments in stocks, shares, bonds and debentures, Certain investments made by the said hospital before the passing of this act, shall be held to have been made within the powers of the said hospital, and the same are hereby ratified and confirmed. rendered valid.

3. This act shall come into force on the day of its sanction. Coming into force.

CHAP. 91

An Act to incorporate the Church of the Messiah (Unitarian), Montreal, and to ratify a certain deed of sale and transfer made by said church

[Assented to 9th March, 1906]

WHEREAS the congregation of the church of the Messiah (Unitarian), Montreal, has, by its petition signed by Edward Archibald, of the city of Montreal, merchant, J. S. N. Duggall, of the city of Montreal, merchant, and James Morgan, of the city of Montreal, merchant, represented that, by an act passed by the late Province of Canada, 8 Victoria, chapter 35, the said congregation, then denominated "Christian Unitarians," was, among other things, empowered to take a conveyance of the lot of land situated at the place called Beaver Hall, and to hold the same for the uses of the said congregation by the trustees to be appointed under the said act and their successors in office; Preamble.

Whereas the said congregation have since that time held, used and occupied the said property by trustees as therein provided;

Whereas the said congregation are desirous of selling and disposing of the said property, and have, in fact, sold and disposed of the said property to Caroline Rose Foote, wife of Robert Newton Smyth, carrying on business as S. B. Foote and Co., but, as in virtue of said before mentioned act, there are doubts as to the power of the said congregation and of the trustees by whom the said property is held as aforesaid, to sign a transfer, of the same, either by themselves or by the said trustees, and are, moreover, desirous of obtaining incorporation with all the powers usually granted to incorporated bodies in the Province of Quebec;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

Persons incorporated.

Name and powers.

1. The said Edward Archibald, J. S. N. Dougall and James Morgan, together with all others, the members, wardens and trustees of said congregation and their successors, are hereby constituted and declared to be a body corporate and politic by the name of the "Church of the Messiah," with power to acquire, hold and possess such property as may be necessary for the uses of the said congregation as such, in perpetual succession, to dispose of the same and acquire other property in lieu thereof whenever they may find it necessary or expedient so to do, and to commence, maintain and defend any action or actions at law for the protection of or in any way concerning their rights of property therein.

Certain deed of sale ratified, &c.

2. The deed of sale and transfer, schedule to this act, of the property on Beaver Hall and now known as cadastral No. part 1149, St. Antoine Ward, hitherto held and owned by the said congregation, made before Cameron, notary, on the fifth day of January instant, by J. C. McArthur, G. W. Stephens, E. Archibald and J. Morgan, the trustees for the said congregation, to Caroline Rose Foote, wife of Robert Newton Smyth, carrying on business as S. B. Foote and Co., as above set forth, is hereby ratified, confirmed and declared valid to all intents and purposes.

Coming into force.

3. This act shall come into force on the day of its sanction.

SCHEDULE

Before JOHN ALEXANDER CAMERON, the undersigned notary for the Province of Quebec, residing and practising at the city of Montreal,

APPEARED:

JAMES C. MCARTHUR, merchant, GEORGE WASHINGTON STEPHENS, esquire, EDWARD ARCHIBALD, merchant, and JAMES MORGAN, merchant, all of the said city of Montreal, acting in their quality and as being a majority of trustees appointed by and in accordance with the rules and constitution of a religious congregation at Montreal, formerly denominated the *Christian Unitarian Society of Montreal*, or Christian Unitarians, but now and for some time past known as "The Church of the Messiah," under and by vir-

tue of an act of the Parliament of the late Province of Canada, chapter thirty-five of the statutes passed in the eighth year of the reign of Her late Majesty, Queen Victoria, and herein acting by and with the consent and authorization of the said congregation, as appears by the annexed certified copy of a resolution thereof, passed at a special meeting duly called and held for that purpose on the sixteenth day of November, one thousand nine hundred and four

Hereinafter styled the "Vendors."

Who have by these presents sold and conveyed, with legal warranty,

Unto DAME CAROLINE ROSE FOOTE, wife common as to property of ROBERT NEWTON SMYTH, of the said city of Montreal, manufacturers' agent, in her quality as a public trader, carrying on business at Montreal as a printer and publisher under the name and style of "S. B. Foote and Co.," by her said husband hereto present duly authorized; the said Dame Caroline Rose Foote, hereinafter styled the "purchaser," hereto present and accepting and acquiring for the said business, the following immoveable property, namely:

DESCRIPTION

An emplacement at the northerly corner of Beaver Hall Hill and Lagauchetiere street, in the St. George Ward of the city of Montreal, forming part of the lot known and designated as number eleven hundred and forty-nine (1149) of the official plan and book of reference of the St. Antoine Ward of said city; bounded in front to the south-east by Lagauchetiere street, in rear by another portion of the same official lot belonging to William Bentham, on one side to the southwest by Beaver Hall Hill, and on the other side to the northeast partly by official lot number eleven hundred and fifty and partly by the passage-in-common hereinafter mentioned, also forming part of said official lot number eleven hundred and forty-nine; and contained, said emplacement hereby sold, within the following lines, viz:—

Commencing at a point on the northwest side line of Lagauchetiere street, being the point of intersection therewith of the prolongation of the outer line or face of the northeast wall of the church hereinafter mentioned; thence running in a northwesterly direction a distance of ninety-three feet, six inches, to a point; thence turning and running in a northeasterly direction along the rear line of the said passage a distance of seven feet, six inches, to the southwest side line of official lot eleven hundred and fifty; thence turning and running in a northwesterly

direction along the last mentioned line a distance of twenty-nine feet, three inches, to another point; thence turning and running at right angles with the last mentioned line, a distance of sixty-five feet to Beaver Hall Hill; thence turning and running in a straight line along the northeast side of Beaver Hall Hill, a distance of fifty-six feet; thence following the curving line of Beaver Hall Hill and Lagauchetiere streets to the point of commencement, the whole as shown, colored green, on the plan made by Joseph Rielle, P.L.S., dated the fifteenth day of December last (1905), hereto annexed, signed for identification by the parties hereto in presence of said notary.

With the building heretofore used as a church thereon erected.

Together with the right of way, in common with others having rights therein, in, over and upon the said passage, which forms part of the said official lot number eleven hundred and forty-nine, containing a width of five feet, two inches, in front, gradually increasing to a width of seven feet, six inches, in rear, by ninety-three feet, six inches, in depth, and bounded in front by Lagauchetiere street, in rear and on one side by the emplacement hereby sold, and on the other side by said lot number eleven hundred and fifty.

The foregoing measurements are English measure and more or less.

Together with the servitude heretofore created in favor of the emplacement hereby sold on the land comprised in the said passage hereinbefore described of a right of view for ever upon and over the said passage from and out of the windows presently existing in the northeast wall of the said church, as the said windows now exist or at any time hereafter may be in anywise enlarged or altered, and from and out of any other window or windows which at any time hereafter may be opened in or through the said wall or in or through any other wall, which at any time hereafter may be built in place thereof on or within the line of said present wall; provided always, in regard to said right of view, that the owners for ever of said official lot number eleven hundred and fifty shall never be hindered nor interfered with by the owners forever of the emplacement hereby sold, as touching the walls presently existing along a part of the northeast line of said passage, or any window or windows therein, or any raising of the height of such walls or any part thereof, or any alteration of any such windows, or any making or opening of any other window or windows or other opening or openings in or through the same, nor as touching any wall or walls, or fence or fences, hereafter erected in place thereof or in line therewith or any windows or openings in the same.

The vendors reserve the right to remove the pulpit, organ,

pews, stained-glass windows, mural tablets and all other furniture of the said church, which are excluded from this sale.

As the said sold property now subsists with all its rights, members and appurtenances, without reserve of any kind on the part of the vendors.

TITLE

The said property was acquired by Benjamin Holmes and others, the then trustees of said congregation, as follows:

Partly from John Young, Asa Burroughs and William Workman, by deed of sale executed before I. J. Gibb and colleague, notaries, on the twenty-eighth day of October, eighteen hundred and forty-five; who acquired from James Dougall by deed of sale executed before Ovide Leblanc and colleague, notaries, on the twelfth day of December, eighteen hundred and forty-three; who acquired from the executors of Thomas Phillips by deed of sale executed before William Ross and colleague, notaries, on the thirteenth day of November, eighteen hundred and forty-three.

And partly from William Workman by deed of exchange and agreement executed before W. Easton, N.P., on the fifteenth day of September, eighteen hundred and fifty-one; who acquired from the executors of Thomas Phillips by deed of sale executed before William Ross and colleague, notaries, on the twenty-second day of July, eighteen hundred and forty-four.

POSSESSION

The purchaser will be the absolute owner of the said property from this date and will take possession thereof forthwith.

VENDORS' DECLARATIONS

The vendors declared and covenanted:

1st. That said property is held under the tenure of *franc aleu roturier*, and is free and clear of all assessments and rates general and special to the date hereof and of all encumbrances;

2nd. That the present sale has been made for the purpose of re-investing the proceeds in the acquisition of another church property.

CONDITIONS

This sale is thus made subject to the following conditions to the fulfilment whereof the purchaser obliges herself namely:

1st. To pay the costs of this deed and its registration and a copy for the vendor;

2nd. To pay all assessments and rates for which the said property may become liable from and after this date.

PRICE

This sale is thus made for the price and sum of twenty-three thousand dollars, which the vendors acknowledge to have received from the purchaser at the execution hereof, whereof quit.

INTERVENTION

And hereto intervened the said James C. McArthur, George Washington Stephens, Edward Archibald and James Morgan, acting in their own personal behalf.

Who, for the purpose of facilitating the present sale, agreed with the said purchaser and jointly and severally bound themselves towards her and her assigns and undertook that they would cause this deed of sale to be ratified by a special act of the Legislature of the Province of Quebec at the next ensuing session thereof, and that, until the coming into force of said act, they would and do hereby guarantee that the said purchaser shall be the absolute owner and have quiet possession of said sold property, free from all troubles, encumbrances and evictions whatsoever; and that, failing such ratification, they would refund and pay to said purchaser or her assigns the said price and sum of twenty-three thousand dollars.

WHEREOF ACTE

THUS DONE AND PASSED, at the city of Montreal, on this fifth day of January, one thousand nine hundred and six, and of record in the office of the undersigned notary under number five thousand three hundred and thirteen.

And after due reading hereof the parties signed in presence of said notary.

(Signed) GEORGE W. STÉPHENS.

" JAS. C. McARTHUR.

" EDW. ARCHIBALD.

" JAMES MORGAN.

" CAROLINE R. SMYTH.

" ROBERT N. SMYTH.

" J. A. CAMERON, N.P.

A true copy of the original hereof remaining of record in my office.

J. A. CAMERON, N.P

CHAP. 92

An Act to ratify a certain deed of donation of certain property from Sir George A. Drummond to the Royal Trust Company, as trustee, for a home for the incurable, the infirm, the sick and aged.

[Assented to 9th March, 1906]

WHEREAS Sir George A. Drummond, of the city and district of Montreal, senator, has, by his petition, represented that he, being interested in charitable works, and more particularly being desirous of providing a home for the incurable, the infirm, the sick, and the aged, acquired a certain property and buildings thereon erected in the city of Montreal for the purpose of such home, and, being desirous of providing for the maintenance and support in perpetuity of such home, has by deed of donation, of date the ninth day of January, one thousand nine hundred and six, before Marler, N.P., transferred and set over to the Royal Trust Company, as trustee, the said immoveable property, together with the furniture and equipment in and upon the said property, and a certain sum of money for the purpose of endowing the said home, and providing funds necessary to carry on and administer the said home, and has, by the terms of said deed of donation, empowered the said trustee to administer the said property and moneys itself, or to enter into such arrangement with charitable institutions for the carrying on of such work as it may desire, or to obtain the incorporation of a body for the purpose of carrying on the said work; whereas doubts have arisen as to the powers of the said Royal Trust Company to fulfil the delegations and responsibilities undertaken and assumed by the said deed, and the said Sir George A. Drummond has prayed for the passing of an act ratifying and confirming the said deed of donation and vesting the said property, together with the said sum of money therein donated or that may be hereafter donated for the purpose of endowing the said home, absolutely and in perpetuity, in the said Royal Trust Company, or such body as may be incorporated for the purpose of carrying out the objects of the said deed of donation, to whom the same may be transferred by the said Royal Trust Company, free from all claims or demands on the part of the heirs or representatives of the said Sir George A. Drummond or any other person or persons whomsoever; and

Whereas it is expedient to grant the prayer of the said petitioner;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

Certain deed
ratified and
property
vested in
trustees for
certain pur-
poses.

1. The deed of donation, schedule to this act, from Sir George A. Drummond to the Royal Trust Company of date the ninth day of January, one thousand nine hundred and six, before Marler, N.P., is hereby ratified and confirmed, and the property therein mentioned and the moneys therein mentioned and such other sum or sums of money as may be hereafter donated to the said Royal Trust Company or other corporate body, its assignees or transferees, for the purpose of the carrying on and administration of the said home, are hereby declared to be the property of and vested in the said Royal Trust Company, its assignees and transferees, absolutely and in perpetuity, and the said donations and all donations made to supplement it shall be irrevocable by the said Sir George A. Drummond, his heirs and legal representatives.

Coming into
force.

2. This act shall come into force on the day of its sanction.

SCHEDULE

Before M^{RE}. WILLIAM DE M. MARLER, the undersigned notary for the Province of Quebec, practising at the city of Montreal.

APPEARED:

THE HONOURABLE SIR GEORGE ALEXANDER DRUMMOND, of the city of Montreal, Knight Commander of the Order of St. Michael and St. George, and one of the Senators of the Dominion of Canada, hereinafter called the "donor;"

of the first part;

AND

THE ROYAL TRUST COMPANY, a body corporate, having its principal place of business at the city of Montreal, hereinafter called the "trustee," and herein acting by ARCHIBALD MACNIDER, a member of the executive committee, and by HUGH ROBERTSON, the manager of the said company, both of the city of Montreal;

of the second part.

Who declared unto the said notary:

That whereas the donor, being desirous of providing a home or institution for the care and maintenance of the incurable, the infirm, the sick and the aged, purchased and acquired certain property in the city of Montreal, hereinafter described, as a site for such home or institution, and erected certain buildings thereon;

And whereas the Montreal branch of "The Sisters of St. Margaret," as incorporated by 54 Victoria, Quebec, chapter 64, has, for a number of years past, carried on the said work in the said premises;

And whereas the donor is desirous of providing for the perpetual maintenance of such home or institution;

NOW, THESE PRESENTS, AND I, THE SAID NOTARY, WITNESS:

First.—That the donor hath, by these presents, given, by way of donation *inter vivos* and irrevocably, unto the trustee, thereof accepting:—

1. The property hereinbefore referred to, consisting of:—

(a) A lot of land situated in the St. Lawrence Ward of the city of Montreal, known and distinguished on the official plan and book of reference of the said ward by the No. one hundred and seventeen (117): bounded as follows: In front by Sherbrooke street, along which it measures one hundred and one feet, three inches; on the northeast side by a portion of official lot one hundred and eighteen (118), belonging to John Molson, along which it measures one hundred and seventy-seven feet; on the southwest side by a portion of official lot one hundred and sixteen, (116) along which it measures one hundred and sixty-six feet, nine inches, and in rear towards the northwest by another portion of the said official lot one hundred and eighteen (118) hereinafter described, in which line it measures one hundred and forty-six feet, three inches.

All of the above measurements are English measure and more or less: The said lot containing twenty thousand eight hundred feet, more or less, English measure, in superficies.

(b) Another lot of land situated in the St. Lawrence Ward, forming part of the unsubdivided portion of lot No. one hundred and eighteen (118) on the official plan and book of reference of the said ward: bounded as follows: To the southwest by the said official lot one hundred and seventeen (117); to the northeast by the portion of the said official lot one hundred and eighteen (118), belonging to John Molson; to the southwest by official lot one hundred and sixteen (116); and to the northwest partly by the present alignment of Milton street and partly by subdivision thirteen of the said official lot one hundred and eighteen (118-13), and containing one hundred and forty-six feet, three inches, in the southeast side line, one hundred and fifteen feet, six inches, in the northeast side line, one hundred and twenty-six feet, in the southwest side line, and one hundred and forty-four feet, six inches, in an irregular line along the northwest boundary, and a superficies of seventeen thousand six hundred and seventy-four feet.

All of the above measurements are English measure and more or less.

(c) A piece of land of triangular figure forming part of subdivision thirteen (13) of the subdivision plan, duly made and filed, of a portion of the said official lot one hundred and eighteen (118) of the St. Lawrence Ward: bounded towards the northwest by Milton street, in which line it measures seventy-five feet, three inches; to the southwest by another portion of said subdivision thirteen (13), belonging to N. B. Desmarteau, or his representatives, in which line it measures twenty-two feet, nine inches; and to the southeast by the portion hereinabove described of official lot one hundred and eighteen (118), in which line it measures seventy-two feet, six inches.

The said portion of land containing eight hundred and twenty four feet in superficies.

All of the above measurements are English measure and more or less.

With all the buildings erected thereon.

As the said property is more fully shown on the plan thereof made by J. Rielle, Provincial Land Surveyor, dated 26th April, 1892, whereof a copy is annexed to the donor's deed of acquisition from Mrs. William Notman, executed before the undersigned notary on the fourteenth of January, eighteen hundred and ninety-three, and registered in the registry office for the registration division of Montreal East under No. 33354.

2. The sum of twenty-five thousand dollars, which the trustee acknowledged to have received from the donor at the execution hereof, whereof quit.

Second.—The trustee shall be and remain henceforth the owner of the land above described and of the said sum of money, free and clear of all rights, claims and demands of any kind on the part of the donor or of his heirs, or legal representatives or other person or persons whomsoever, but nevertheless, in trust, for the following purposes, namely:

1. To use the said property and the revenues of the said sum of money and all other sums of money which may be given to or come into the hands of the trustee in aid of the said institution for the carrying on upon the above described property or elsewhere of a home or institution for the care and maintenance of the incurable, the infirm, the sick and the aged, and for such other and kindred purposes as may commend themselves to the judgment and sympathy of the trustee;

2. To invest the said sum of money and all other sums which which may come into its hands in aid of the said institution in such securities as it may deem proper, without its being bound to invest in the securities in which by law trustees are directed to invest, and without responsibility for any resulting loss, and,

from time to time, in its discretion to sell and vary its investments and reinvest the proceeds;

3. To itself carry on the said work upon the said property under the management of such person or persons as it may employ for the purpose; or to enter into such arrangements, as it may deem proper, either with the Montreal branch of the Sisters of St. Margaret or with any other charitable or philanthropic institution carrying on a work of like character in the city of Montreal, preference being given, however, to the said Sisters of St. Margaret, unless the trustee should take the work into its own hands or the said Sisters decline to continue;

4. To use the revenues thereof, after payment of the ordinary expenses of maintenance and the trustee's remuneration, or so much of said revenues as the trustee may deem proper, in the carrying on of the said work, adding any surplus revenues to the capital, and with power to use such accumulations for any purpose connected with the said work.

Third.—The trustee shall, at all times, associate with itself, in the management and administration of the property, and particularly in the actual carrying on of the said charitable work, one of the donor's descendants, and shall give consideration to the wishes, opinions and suggestions of such descendant of the donor, in so far as the same may not, in the opinion of the trustee, prove inconsistent with or detrimental to the interests and objects of the institution.

Fourth.—The trustee will have the power to sell the above-described property or any part thereof upon such terms and conditions as it may deem proper, and to receive the price, and to borrow money either for the purpose of building on the property or to provide funds to carry on the work of the said home, and to mortgage or hypothecate the said property as security for the payment of the sums borrowed and the interest thereon, without third persons, with whom the trustee may deal, being bound to see to the application of the money; and to purchase other property in lieu of that above described, and to deal in like manner with such other property.

Fifth.—The trustee is authorized, if it should deem advisable, to apply for and obtain the incorporation of a body for such purposes as it may consider most effective to carry out the donor's wishes and intentions as herein indicated, and, upon such incorporation being obtained, to convey and make over to such body corporate the land and moneys hereby given to the trustee or the property, moveable or immoveable, then representing the same. The body so incorporated shall be known by such name as may be given to it by the trustee, and shall have at least five directors, of whom the Mayor of the City of Montreal, the President of the Board of Trade, and the President of the

Bank of Montreal shall be directors *ex officio*, and during tenure of their offices respectively, and the President of the Bank of Montreal shall be the *ex officio* president. Of the other directors there shall be at least one of the donor's descendants.

The wish of the donor is that the said institution shall always be under the management of persons who are business or financial men of the city of Montreal.

Sixth.—The trustee shall be entitled to a reasonable remuneration for such services as it may perform in connection therewith, but not less than twenty-five dollars *per annum*.

Seventh.—The trustee accepts the trust hereby imposed upon it, and undertakes to carry it out faithfully and to the best of its ability, stipulating, however, that it shall not be liable for the failure of any person or persons whom it may employ in the performance of the work, and that it shall not be liable to be called in question for any cause or reason or by any person, except for the due investment by it of the funds intrusted to it, and for the expenditure of the revenues of such funds, to the best of its judgment and in its uncontrolled discretion, in pursuance of the objects of the donor.

WHEREOF ACTE:

THUS DONE AND PASSED, at the city of Montreal, on this ninth day of January, one thousand nine hundred and six, and of record in the office of the said Mtre. W. de M. Marler, under the number twenty-seven thousand and fifty-six. And after due reading hereof the parties signed in the presence of the said notary.

(Signed) GEO. A. DRUMMOND,

" The Royal Trust Company.

" A. MACNIDER,
Member Executive Committee.

(L. S.) " H. ROBERTSON,
Manager.

" W. DE M. MARLER, N.P.

A true copy of the original hereof remaining of record in my office.

W. DE M. MARLER, N.P.

CHAP. 93

An Act to amend the charter of *l'Association Saint Jean Baptiste de Montréal*

[Assented to 9th March, 1906]

WHEREAS *l'Association Saint Jean Baptiste de Montréal* Preamble.
and the section of the lady patronesses of the said association have, by their petition, represented:

That, in virtue of section 23 of the act 3 Edward VII, chapter 121, the ladies of *l'Association Saint Jean Baptiste de Montréal* have formed themselves into an auxiliary society as a section of the said association, under the name of *Les Dames Patronesses de l'Association Saint Jean Baptiste de Montréal*; that the said lady patronesses wish to found schools of housekeeping for the teaching of domestic economy and of everything connected with housekeeping, and to that end have prayed to be incorporated as a distinct and separate corporation, and whereas it is expedient to grant their prayer, and to amend the charter of the said association accordingly;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

1. The following section is added after section 30b of the act Sec. added
51-52 Victoria, chapter 65, as amended by the acts 55-56 Vic- to 51-52 V.,
toria, chapter 85, 62 Victoria, chapter 93, and 3 Edward VII, c. 65, after
chapter 121. s. 30b.

"30c. The section of the said lady patronesses may also, by Establish-
by-law, establish schools of housekeeping for the teaching of ment of
domestic economy and of everything connected with housekeep- schools of
ing, and the by-laws thereof shall be in accordance with schedule housekeep-
E annexed to this act, which by-laws shall be deemed to form ing by by-
part of this act. law.

A copy of the by-law, establishing such schools of housekeep- Deposit of
ing, shall be deposited in the office of the Provincial Secretary, copy of by-
and a notice signed by the head of that department may be pub- law with
lished in the *Quebec Official Gazette*, stating that such by-law Provincial
has been passed and filed as aforesaid, and thereupon the said Secretary
schools of housekeeping shall constitute a distinct corporation and publica-
under the name of "*Les Ecoles Menagères Provinciales*," with all tion of notice
the powers conferred upon civil corporations and the powers thereof.
mentioned in the said schedule E." Effect
thereof.

2. This act shall come into force on the day of its sanction. Coming into
force.

SCHEDULE E

BY-LAWS

Article 1. The lady patronesses of *l'Association St. Jean Baptiste de Montréal*, in virtue of the powers conferred upon them by the charter of the said association, found an association under the corporate name of: "*Les Ecoles Ménagères Provinciales*."

Such association shall be a distinct corporation, having all the powers granted to civil corporations by the law of the country.

Article 2. The said association shall consist:

- a. Of active members;
- b. Of honorary members;
- c. Of life members;
- d. Of charter members.

The whole as may be determined, from time to time, by the by-laws of the said association.

Article 3. The corporate seat of the said association is at Montreal.

Article 4. The management of the affairs of the said association is entrusted to a board of management and of committees chosen in such manner as may be determined by the said by-laws.

Article 5. The board of management makes the necessary by-laws for securing the execution of this act and, amongst others, respecting: the admission of members, their expulsion and the striking off of their names from the list; the contributions payable by the various categories of members; the conditions as regards eligibility and the mode of election; the attributes of the board of management; the appointment of officers and committees, their attributes and duties; the meetings of members, and of the board of management and of the committees; the maintenance and government of schools of housekeeping; the granting of diplomas of *Mattresses d'enseignement ménager*; the government and administration of the property of the association, and generally, each and every the objects and purposes above mentioned.

Article 6. Articles 4651 to 4693, inclusively, of the Revised Statutes shall apply to the said association in so far as they are not inconsistent with these by-laws.

CHAP. 94

An Act to authorize the Roman Catholic inhabitants of the parish of St. Charles Borromée de Joliette to aid the Roman Catholic episcopal corporation of Joliette in the restoration of the Cathedral of Joliette

[Assented to 9th March, 1906]

WHEREAS Eusèbe Asselin, gentleman, J. H. Renaud, merchant, Adolphe Fontaine, K. C., advocate, Frs. Octave Dugas, K. C., and M. P., advocate, Dieudonné Désormiers, notary, Alexis Cabana, notary, John James Sheppard, physician, Jean-Baptiste Avila Richard, gentleman, Charles Leblanc, merchant, all of the town of Joliette; Louis Bazinet, mayor; Didier Corneillier, Charles Rivet, Elzéar Dufresne, Arthur Pelletier, Rodolphe Majeau, Elzéar Rivet, and Joseph Deblois, farmers, of the parish of St. Charles Borromée, and others have, by their petition, represented: Preamble.

That the cathedral of Joliette, which is at the same time the parish church of the Roman Catholic inhabitants of the parish of St. Charles Borromée de Joliette, belongs to the Roman Catholic episcopal corporation of Joliette, which has succeeded to *l'œuvre et fabrique* of the said parish in virtue of the act 2 Edward VII, chapter 93;

That such church was in a ruinous condition and in need of urgent and considerable repairs when the Roman Catholic episcopal corporation of Joliette took possession of the same on the twenty-third of August, 1904;

That His Lordship *Monseigneur* Joseph Alfred Archambeault, bishop of Joliette, undertook to restore the said church and to provide it with permanent pews, and that the works undertaken, the cost whereof is estimated at fifty thousand dollars, are about to be completed;

That, at a parish meeting held on the twenty-sixth of December, 1905, after having been duly called, it was unanimously resolved that the Roman Catholic inhabitants of the parish of St. Charles Borromée de Joliette, considering themselves bound in equity to aid their bishop, desire to contribute towards the restoration and completion of their church to the amount of twenty-five thousand dollars, payable in twenty annual and consecutive instalments of one thousand two hundred and fifty dollars each, to be levied on their taxable immoveable property; such instalments to be levied for four-fifths upon the taxable immoveable property of the Roman Catholic inhabitants of the town of Joliette and of one-fifth upon the taxable immoveables of the Roman Catholic inhabitants of the parish

of St. Charles Borromée, and that application be made to the Legislature of Quebec for the purpose of authorizing the said assessment;

Whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

Corporation of town authorised to levy certain sum annually upon R. C. proprietors to assist in restoration of cathedral.

Idem, for parish of St. Charles Borromée.

1. To aid the Roman Catholic episcopal corporation of Joliette in restoring and completing its cathedral, which is at the same time the parish church of the Roman Catholic inhabitants of the parish of St. Charles Borromée de Joliette, the corporation of the town of Joliette, acting through its municipal council shall levy, annually, during twenty years from the coming into force of this act, upon all taxable immoveables of the municipality of the town of Joliette, belonging to Roman Catholics, a sum of one thousand dollars for the benefit of the said episcopal corporation; and, with the same object, the corporation of the parish of St. Charles Borromée, also acting through its municipal council, shall, on its part, levy annually during the same period, upon all the taxable immoveables of the municipality of the parish of St. Charles Borromée belonging to Roman Catholics, a sum of two hundred and fifty dollars for the benefit of the said episcopal corporation.

How assessment to be levied.

2. Each annual assessment shall be levied by means of a special assessment roll ordered by mere resolution of the municipal corporation interested, and based on the valuation roll then in force in the municipality.

Addition thereto to cover losses.

The council may always, by its resolution ordaining the making of such special roll, order the addition to the amount to be levied under the foregoing section, of such additional amount as it may deem sufficient to cover any possible loss as well as all costs to be incurred in levying and recovering such assessment.

Preparation &c., of roll.

The said roll shall be prepared by the secretary-treasurer who shall deposit it in his office and give public notice thereof on or before the first juridical day of the month of September.

Assessment how payable, &c.

3. Every assessment levied under this act shall be payable in the office of the secretary-treasurer during the twenty days following the publication of the public notice mentioned in the foregoing section; it may be recovered summarily like the other municipal taxes of the municipality and by the same processes; and it shall constitute a civil debt, with a privilege on the properties affected thereby, which privilege shall be exempt from registration and shall rank immediately after judicial costs.

4. The secretary-treasurer of each of the said municipal corporations shall be bound to collect the assessment imposed under this act as soon as it is payable and to hand it over to the said episcopal corporation on demand as he collects it. Collection and payment over to episcopal corporation.

5. Every deficit in the collection of any year's assessment must be made up the following year, and every surplus in the receipts shall be imputed towards the collection and payment for the following year. Deficits, &c.

6. The corporation of the town of Joliette shall have the right to levy the aforesaid assessment over and above what it is already authorized to levy in virtue of the act 27 Victoria, chapter 27, section 32, subsection 1, and its right to levy is hereby extended accordingly. Levy to be over and above that authorized under 27 V., c. 27, s. 32 § 1

7. The costs incurred in obtaining the passing of this act shall be paid by the corporation of the town of Joliette in the proportion of four-fifths, and by the corporation of the parish of St. Charles Borromée in the proportion of one-fifth, but the amount of such costs shall be levied exclusively on the immovables affected by this act. Payment of cost of obtaining act, &c.

8. This act shall come into force on the day of its sanction. Coming into force.

CHAP. 95

An Act to authorize the *curé* and church-wardens of *l'œuvre et fabrique* of the parish of St. François d'Assise de la Longue Pointe to sell lot number 42 of the cadastre of the parish of Longue Pointe.

[Assented to 9th March, 1906]

WHEREAS the *curé* and church-wardens of *l'œuvre et fabrique* of the parish of Saint François d'Assise de la Longue Pointe have, by their petition, represented that Sieur Nicholas Desautels, by his last will dated 15 March, 1841, bequeathed to the fabrique of the parish of Longue Pointe the lot of land known as lot No. 42 of the cadastre of Longue Pointe on certain conditions; that the said lot has, through the extension of the city of Montreal, now become the very centre of a well populated district and of considerable value for building lots, and that it would be advantageous to all parties interested to sell the same, and have prayed for the passing of an act Preamble

authorizing them to sell, dispose of or exchange the said immoveable bearing the number 42 of the official cadastral plan and book of reference of the parish of Longue Pointe, in the county of Hochelaga, and whereas it is expedient to grant the said petition;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

Authoriza-
tion to sell
certain prop-
erty

1. The *curé* and church-wardens of *l'œuvre et fabrique* of the parish of Saint François d'Assise de la Longue Pointe are authorized to sell, exchange and dispose, wholly or in part, of an immoveable bearing the number 42 of the official cadastral plan and book of reference of the parish of Longue Pointe, in the county of Hochelaga and the buildings thereon erected.

Application
of proceeds

2. The *curé* and church-wardens of *l'œuvre et fabrique* of the parish of Saint François d'Assise de la Longue Pointe shall employ the proceeds of such total or partial sale in accordance with the terms, clauses and conditions of the solemn will of Nicholas Desautels *dit* Lapointe, dated the fifteenth of March, eighteen hundred and forty-one, made and passed before J. A. Labadie, notary public, and witnesses, and it shall dispose of the proceeds of such sale only in accordance with the clauses and conditions mentioned in the said will.

Reversion of
proceeds to
heirs of N.
Desautels *dit*
Lapointe
in certain
event.

3. Should there cease to be any parish church in the said parish of Saint François d'Assise de la Longue Pointe, the proceeds of such total or partial sales shall thereupon revert and belong in full ownership to the nearest of kin of the testator, Nicholas Desautels *dit* Lapointe whom the law would then call to his succession, to be equally shared between them according to law, and the said *fabrique* of Longue Pointe shall then and there be responsible and accountable for the proceeds of such sale according to such clause of the will of Nicholas Desautels *dit* Lapointe.

Formalities
to be ob-
served.

4. The formalities to be observed for the sale of the property of *fabriques* and religious corporations and prescribed by law shall also be observed in the present case.

Coming into
force.

5. This act shall come into force on the day of its sanction.

CHAP. 96

An Act to ratify and validate the agreements between the *curé* and church-wardens of *l'œuvre et fabrique* of the parish of Ste. Geneviève, the school commissioners of the school municipality of Ste. Geneviève No. 1, in the county of Jacques Cartier, and the community of the *Sœurs de Ste. Anne*.

[Assented to 9th March, 1906]

WHEREAS the community of the *Sœurs de Ste. Anne* has, by Preamble. petition, represented:

That, being desirous of rebuilding the asylum and convent of Ste. Geneviève, destroyed by fire on the night of the 20th April, 1905, it has made certain agreements with the *curé* and church-wardens of *l'œuvre et fabrique* of the parish of Ste. Geneviève and the school commissioners of the school municipality of Ste. Geneviève No. 1, of the county of Jacques Cartier, by deed passed before Joseph Adolphe Chauret, notary, on the 15th August, 1905, being number 8202 of his minutes;

That certain doubts have arisen with respect to the validity of the said covenants contained in the deed relating thereto;

That the community of the *Sœurs de Ste. Anne* has prayed for the passing of an act to remove such doubts and to confirm, ratify and validate such agreements;

And whereas it is expedient to grant the prayer of the said community;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

1. The agreements between the *curé* and church-wardens of *Certain l'œuvre et fabrique* of the parish of Ste. Geneviève, the school com- ^{agreements} missioners of the school municipality of Ste. Geneviève No. 1, in ^{of 15 August,} the county of Jacques Cartier and the community of *Les Sœurs* ^{1905, rati-} *de Ste. Anne*, by deed passed before Joseph Adolphe Chauret, ^{fied.} notary, on the 15th August, 1905, being No. 8202 of his minutes, are ratified and declared valid to all intents and purposes; a copy of such deed is reproduced at length in the schedule to this act.

2. This act shall come into force on the day of its sanction. ^{Coming into} ^{force.}

SCHEDULE

In the year one thousand nine hundred and five, the fifteenth day of the month of August, before JOSEPH ADOLPHE CHAURET, notary public for the Province of Quebec, residing and practising in the parish of Ste. Geneviève, in the district of Montreal,

CAME AND APPEARED:

The *curé* and church-wardens of *l'œuvre et fabrique* of the parish of Ste. Geneviève, herein acting and represented by Mr. Paul Pilon, farmer and churchwarden in office of the said parish of Ste. Geneviève, according to a resolution adopted at a meeting of the former and present church-wardens, duly convened and held in the sacristy of the said parish of Ste. Geneviève, on the ninth of July last, the said resolution having been duly approved by and in virtue of a resolution adopted at a meeting of the parishioners and freeholders of the parish of Ste. Geneviève, duly convened and held in the said sacristy on the ninth of July last, a copy of which resolution is annexed to the original of these presents,

of the first part;

The school commissioners of the school municipality of Ste. Geneviève No. 1, in the county of Jacques Cartier, acting and represented by Mr. Charles Blais, shoemaker and chairman of the said school board, according to a resolution adopted by the said school board at a meeting held this day, a copy whereof is annexed to the minutes of these presents for reference, if necessary,

of the second part;

AND

The community of *Les Sœurs de Ste. Anne*, a body politic and corporate, having its principal place of business in the town of Lachine, acting and represented by Reverend Sister Marie Mélanie, née Alphonsine Dugas, according to a resolution adopted after deliberation by the council of the said community and dated the twelfth of August, instant,

of the third part.

Which parties, desiring to rebuild the asylum and convent of Sainte Geneviève, destroyed by fire on the night of the twentieth of April last, have entered into the following covenants:

The parties of the first and second parts give, convey and make over this day, forever, to the party of the third part, present and

accepting, all the rights of ownership and claims they have and may have in and to the following immoveable, to wit:

A lot of land situate in the village of Ste. Geneviève, known and designated in the official cadastral plan and book of reference of the village of Ste. Geneviève as number seventy-one, with all the circumstances and dependencies thereof and without any reservation.

The said lot of land at present comprises the land of the parties of the first, second and third parts, registered under one and the same number, the aforesaid No. 71.

The said party of the third part to enjoy, do with and dispose of in full ownership as to it may seem advisable, all the rights of ownership of the said parties of the first and second parts, with possession and enjoyment from this day.

The party of the first part gives, conveys and makes over to the party of the third part, thereof accepting, all the rights and claims it has and may have in the materials from the ruins of the asylum and convent and their dependencies, destroyed by the said fire of the twentieth of April last.

And whereas the parties of the third part had an insurance of three thousand two hundred dollars on the buildings erected on the said lot No. 71 which were destroyed by the said fire, and have received such amount from the insurance company;

Whereas it claims that such sum belongs to it and that, on its part, the party of the first part claims it is entitled thereto, the said parties agree to leave their respective claims in suspense, each one desiring, within a measure of its rights, that the said sum be devoted to the work which is the object of the present deed, and it is agreed that it shall be so employed.

The party of the first part promises and binds itself to give and to pay to the party of the third part in January next, without interest during such delay, the sum of four thousand dollars, in current money of Canada.

The party of the first part consents, in so far as it may be interested therein, to allow the work of the asylum by the party of the third part to remain in suspense for a period of fifteen years from the first January next, in order to enable the party of the third part to keep the interest on the moneys belonging to the said asylum to aid it in rebuilding the convent, upon the condition that the said period of fifteen years shall be reduced in proportion to whatever gifts may be given by any person whomsoever to the said asylum, unless the party of the third part prefers to employ the gifts received for the support of the poor of the parish of Ste. Geneviève.

And, on its part, the party of the third part, in consideration of the advantages it receives from the parties of the first and second parts, undertakes and binds itself by these presents to build,

on the said lot No. 71, a convent of stone, of solid brick or of wood faced with stone or brick, of the dimensions of one hundred feet by fifty feet outside, having three complete stories, not including the basement nor the attic, and with such interior arrangements as may be required by the authorities on account of fire.

Such building shall be begun immediately and shall be continued with diligence so that it may be ready for the opening of the classes in September, 1906.

The party of the third part undertakes to maintain forever the said convent in good order and condition and even to rebuild the same should it be destroyed by accident, by fortuitous event, or by irresistible force.

The party of the third part undertakes and binds itself to keep in the first and second stories, in two rooms of sufficient size according to the regulations of the Council of Public Instruction or of any other authority in such matters, a primary school which shall be under the control of the school commissioners of the school municipality of Ste. Geneviève No. 1 or of any other corporation replacing it, for the purpose of teaching, day by day, and from year to year, (except during the holidays) from the first of September next, all the girls of the parish of Ste. Geneviève who may wish to attend such school, whether their parents reside in the said school municipality or in any other school municipality comprised within the limits of the said parish of Ste. Geneviève.

The teaching given and the conditions of the teaching shall be those set forth in the deed of gift between the late Messire Louis Marie Lefebvre and *l'œuvre et fabrique* of the parish of Ste. Geneviève, passed before F. H. Brunet, notary, on the 19th February, 1879, the said parties agreeing to abide by the provisions contained in the said deed of gift.

Nevertheless, the school municipality shall supply the furniture for its municipal classes in the new convent, including maps, blackboards, sacred history tables, to the amount of two hundred dollars.

And, in view of the increase of the population during the coming years, the school board shall be bound to pay other nuns as teachers, as need may arise, the maximum of pupils being fixed at fifty per teacher, at the same price, charges, clauses and conditions as already exist or have existed between the said community of *Les Sœurs de Ste. Anne* and the said school municipality of Ste. Geneviève No. 1, such latter conditions having been unanimously resolved upon by the said school board at a meeting held this day in the presbytery of Ste. Geneviève, as appears by the annexed copy thereof.

The parties of the third part shall alone be bound to effect all greater or lesser repairs, which may have to be made to the said convent and to the said lot of land.

And as regards the said building, the party of the third part binds and obliges itself to employ as far as possible workmen and laborers of Ste. Geneviève in preference to strangers, provided this does not entail any pecuniary loss or sacrifice.

The party of the third part binds itself to the party of the first part to an accurate account or statement of the cost of the building of the said convent, and, if such cost shall be less than sixteen thousand dollars, the party of the third part undertakes to proportionately reduce the number of years during which the work of the asylum shall be suspended.

The party of the third part undertakes and binds itself to keep the said convent insured to an amount of at least ten thousand dollars.

It is stipulated between the said parties that, in the event of difficulties arising between them, such difficulties shall be submitted to arbitration under the common law, before being submitted to the courts.

The parties of the first and second parts undertake to assist the party of the third part in the steps that may have to be taken to obtain the passing of an act to validate the present covenants next session, but the cost of such act shall be borne by the said party of the third part.

And for the execution of these presents, the said parties have elected domicile in their present places of residence.

DONE AND PASSED at Ste. Geneviève, on the day and in the month and year above written, under the number eight thousand two hundred and two, and the parties have signed, with the said notary, these presents duly read.

(Signed) PAUL PILON,

“ CHARLES BLAIS, Pres.

“ SŒUR MARIE MELANIE,

“ J. A. CHAURET, Not. Pub.

True copy of the minutes of these presents remain of record in my office.

J. A. CHAURET, Not. Pub.

C H A P. 97

An Act to repeal the act 23 Victoria, chapter 145, and amendments thereto, incorporating the St. Bridget's Asylum Association of Quebec, and also further to amend the act to incorporate the Congregation of the Catholics of Quebec, speaking the English language, 18 Victoria, chapter 228

[Assented to 9th March, 1906]

Preamble.

WHEREAS the members and trustees of the corporation of St. Bridget's Asylum Association of Quebec have, by their petition, represented that it is expedient that the said association should be dissolved, and that all the property, moveable and immoveable, moneys, stocks, bonds, and all the powers now held by and vested in the said association and trustees should be transferred to and vested in the corporation of the Congregation of the Catholics of Quebec speaking the English language, for the purpose and with the view that the said congregation may hold and administer all such property, exercise such powers, and undertake all the obligations of the said association for the same purposes and objects for which the said association was incorporated;

Whereas the said corporation of the Congregation of the Catholics of Quebec speaking the English language have, by their petition, represented that it is in the interest of the said St. Bridget's Asylum that they should take over all such property and the control and administration of the affairs of the said asylum; and whereas it is expedient to grant the prayer of both said corporations;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

Corporation dissolved.

1. The said Corporation of St. Bridget's Asylum Association of Quebec is hereby dissolved, and all the rights, powers, privileges and obligations heretofore claimed, exercised or fulfilled by it, are hereby revoked.

Property vested in certain congregation.

2. All the property, moveable and immoveable, moneys, stocks and bonds and all the rights and privileges and the obligations of the said association so dissolved shall be owned by and are hereby transferred to the said Congregation of the Catholics of Quebec speaking the English language.

Ownership of property vested in

3. The ownership of all the said property, which by the act repealed was secured or intended to be secured for the use

benefit and advantage of the St. Bridget's Asylum, shall be and is hereby vested in the present and future trustees of the said Congregation of the Catholics of Quebec speaking the English language, for and on behalf of and as representing such congregation.

trustees of
said congregation.

4. Such trustees shall so hold the said above mentioned property for the sole use and advantage of the said asylum, but they shall have no power to sell, transfer, hypothecate or otherwise alienate the immoveable portion thereof without the consent of the said congregation first had and obtained, and the approval of the Reverend Fathers of the Congregation of the Most Holy Redeemer, presently in charge of the souls of the Congregation of the Catholics of Quebec speaking the English language and of their successors, during the period the said Reverend Fathers shall have the care of the souls of the said congregation.

Application
by trustees
of property
so held.

5. The full and entire management, control and administration of all the said property and of its improvements and of all the rents, revenues, issues and profits thereof, of all the moneys, stocks, and bonds, and of all such sums of money as are now or may hereafter become due and of all donations and bequests which may be made to the said asylum, shall be and are hereby vested in the said Reverend Fathers of the Congregation of the Most Holy Redeemer for the sole use and benefit of the said asylum during the period the said Reverend Fathers shall have the care of the souls of the congregation.

Management
vested in
certain
fathers.

The said Reverend Fathers shall render yearly returns of their management and administration, and shall have the account thereof audited by the said trustees, whose duty it shall be to audit the same.

Annual re-
turns to be
made by
them.

The trustees shall, at all times, have access to the books and accounts relating to the said management and administration.

Access to
books, &c.

6. Upon the departure of the said Reverend Fathers or in the event of their resigning the care of the souls of the said congregation, all the rights vested in them under this act, shall revert to the said congregation, who are hereby empowered in that case to make, with the pastor or priests appointed by the Roman Catholic Archbishop of Quebec or the person administering the archdiocese to have the care of the souls of the said congregation, such arrangements concerning the administration of the said affairs of the said St. Bridget's Asylum as to the said congregation may seem expedient, or to transfer to such pastor or priests so appointed the powers vested in the said Fathers of the Congregation of the Most Holy Redeemer.

Upon departure
of
fathers,
property re-
verts to con-
gregation,
&c.

Rights of R.
C. Arch-
bishop of
Quebec pre-
served.

7. Nothing in this act shall affect, diminish or impair, in any manner, any of the rights and privileges heretofore belonging to the Roman Catholic Archbishop of Quebec, or the person administering the archdiocese, but they and each of them shall remain and have the same force, vigor and effect as they have always had, and as fully as the same were acknowledged in the act hereby amended.

Coming into
force.

8. This act shall come into force on the day of its sanction.

CHAP. 98

An Act to incorporate *L'Ordre du Très Saint Rédempteur*

[Assented to 9th March, 1906]

Preamble.

WHEREAS Dames Maria Lahaye, in religion Sister Marie Stanislas; Clara Brühl, in religion Sister Marie Thérèse; Christine Greven, in religion Sister Marie Jeanne; Marie Verheyen, in religion Sister Marie Dominique; Félicité Luyhx, in religion Sister Marie Gabrielle, all of the parish of Sainte Anne de Beaupré, county of Montmorency, and actually members of the community called *L'Ordre du Très Saint Rédempteur*, have, by their petition, prayed to be incorporated under the name of *L'Ordre du Très Saint Rédempteur* for the following among other purposes: to devote themselves in common to such works of piety, mercy and charity as the life of contemplation they lead may allow, with power to establish, in this Province, houses, novitiates, convents, and monasteries, and to acquire moveable and immoveable property for that purpose, and generally to manage and administer their affairs under such corporate name;

Whereas His Grace Monseigneur L. N. Bégin, archbishop of Quebec, has approved of their establishment in his diocese;

Whereas it is expedient to incorporate them;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

Persons in-
corporated.

1. Maria Lahaye, in religion Sister Marie Stanislas; Clara Brühl, in religion Sister Marie Thérèse; Christine Greven, in religion Sister Marie Jeanne; Marie Verheyen, in religion Sister Marie Dominique; Félicité Luyhx, in religion Sister Marie Gabrielle, all of the parish of Sainte Anne de Beaupré, county of Montmorency, and actually members of the community called *L'Ordre du Très Saint Rédempteur*, and all other persons who do now or who shall hereafter form part of the said community, in

accordance with its rules, statutes and regulations, are incorporated under the name of "*L'Ordre du Très Saint Rédempteur*," Name.

2. The corporation hereby constituted shall have perpetual succession. It may have a common seal which it may modify at will; appear before the courts in the same manner as any person; borrow, sign bills of exchange and promissory notes; hold, accept and acquire, by any legal title, moveable and immoveable property, which it may sell, alienate, hypothecate, transfer, lease, assign, and exchange or otherwise dispose of under any title and at any time whatsoever, provided always that the value, which shall be fixed by the valuation roll of the municipality, of the immoveables owned by the community shall not exceed the sum of one hundred thousand dollars. General corporate powers. Value of immoveables to be held limited.

3. The corporate seat of the corporation shall be in the parish of Ste. Anne de Beaupré, county of Montmorency, but it may be changed by the corporation, if it deem it necessary, upon giving notice in the *Quebec Official Gazette*. Corporate seat and change thereof.

4. The corporation shall be governed according to the rules of the community, and it may adopt regulations or rules, which it may afterwards amend or repeal, respecting the administration of its property; the direction and government of its houses; the election, number and powers of its directresses and of its officers; the attributes of its members, their admission and discharge, and generally adopt or pass any regulations not contrary to the laws relating to the purposes of the corporation. Corporation how governed, &c.

5. The corporation may found, establish and maintain, at any place in this Province, novitiates, convents, monasteries or branches, and it may erect such buildings as may be suitable for its purposes in each of the localities where it may have an establishment, and establish cemeteries; but all such cemeteries shall be subject to the authorization and formalities required by law, and upon condition that, within the limits of a town or city, burials shall be in an underground chapel only. Establishment of novitiates, &c.

6. The corporation may appoint officers, procurators or administrators amongst its members and define their powers. It may also appoint one or more procurators outside of the community. Appointment of officers, &c.

7. Every document bearing the signatures of the superioress and bursar of one of the establishments of the corporation and accompanied by a sealed copy of the minute of the council of the corporation approving such document, shall be considered as binding upon the corporation; provided that, in the case Documents that bind the corporation.

of a document issued by a branch, it shall also bear the signature of the general superioress residing at the corporate seat of the community, or be confirmed by her by means of a separate document.

Annual re-
turn to Gov-
ernment.

8. The corporation shall, annually, transmit to the Lieutenant-Governor in council, a statement of the immoveables possessed by it under this act, as well as a copy of the rules and regulations of the community and the names of its officers, procurators and administrators.

Coming into
force.

9. This act shall come into force on the day of its sanction.

CHAP. 99

An Act to incorporate *Les Pauvres Clarisses de Valleyfield*

[Assented to 9th March, 1906]

Preamble.

Whereas Dames Marie Louise Lemoyne, in religion Sister Marie Joseph de Jésus, Helene Desparois, in religion Sister Marie François des Cinq Plaies, Eugenie Piché, in religion Sister Marie de Jésus, Marie Hurtubise, in religion Sister Marie Saint Paul de Jésus, and Marie Barron, in religion Sister Marie Madeleine de Jésus, all of the city of Salaberry de Valleyfield, at present members of a community founded with the authorization of His Lordship the Bishop of Valleyfield, under the name of *Les Pauvres Clarisses de Valleyfield* have, by their petition, prayed to be incorporated under the name of *Les Pauvres Clarisses de Valleyfield*, for the purpose of devoting themselves in common amongst other objects to works of piety, mercy and charity, in accordance with the contemplative life which they lead, with power, for such purposes, to acquire moveable and immoveable property and generally to manage and administer their affairs under such corporate name;

And whereas it is expedient to incorporate them;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

Persons in-
corporated.

1. Dames Marie Louise Lemoyne, in religion Sister Marie Joseph de Jésus, Helene Desparois, in religion Sister Marie François des Cinq Plaies, Eugenie Piché, in religion Sister Marie de Jésus, Marie Hurtubise, in religion Sister Marie Saint Paul de Jésus, and Marie Barron, in religion Sister Marie Madeleine de Jésus, all of the city of Salaberry de Valleyfield, at present mem-

bers of the community called *Les Pauvres Clarisses de Valleyfield*, and all other persons who do now or who shall hereafter form part of the said community in accordance with its rules, statutes and by-laws, are incorporated under the name of "*Les Name. Pauvres Clarisses de Valleyfield.*"

2. Under such name the corporation hereby constituted shall have perpetual succession and may: Corporate powers.

a Have a common seal and modify the same at will;

b. Appear before the courts;

c. Acquire, possess, and accept by any legal title moveables and immoveables, which it may sell, alienate, hypothecate, assign, lease, convey, exchange or otherwise dispose of by any title whatsoever, provided always the value of the immoveables possessed by the corporation, for the purposes of revenue, shall not exceed one hundred thousand dollars. Powers to acquire, &c., property.
Value of immoveables limited.

3. The corporation shall be governed by the rules of the community and it shall have power to make and pass rules and by-laws concerning the administration of its property, its direction and internal government, the election, number and powers of its officers and directresses, the admission and discharge of its members and generally all by-laws not contrary to law and relating to the purposes of the corporation. Government of corporation.

4. The corporate seat of the corporation shall be in the city of Salaberry de Valleyfield. Any other place in this Province may be chosen at any time by a by-law of the corporation. Corporate seat and change thereof.

No such by-law shall come into force until it has been published three times in the *Quebec Official Gazette*.

5. The corporation may appoint officers, procurators or administrators and define their powers; it may also appoint a procurator outside the community. Appointment of officers.

6. Three members of the corporation, to wit: the abbess, the assistant and the hursar shall constitute the council of the said corporation. Council of corporation.

7. The said council has all the rights and powers of the corporation as regards the making of rules and by-laws and the transaction of all the business of the corporation. Powers of council.

8. The signature of the members of the council shall suffice for all business matters and shall bind the corporation. Signature binding on corporation.

9. The members of the said council, who are incapable of acting owing to absence or other reasons, shall be replaced, in Replacing of members of council.

equal number, by members of the corporation with the same powers, in the manner provided by the by-laws.

Establishment, &c., of monasteries elsewhere in Province, &c.

10. The community may, at any place in this Province, for the purposes of its incorporation, establish and found monasteries which shall be governed according to the rules of the said community, and the latter may, by by-law to that effect, delegate to them all the powers, rights and privileges conferred on it by this act.

Establishment of vault, &c., for certain purposes.

11. The community may have or establish a vault or cemetery on the property of each of its monasteries for the purpose of depositing therein the mortal remains of its deceased members, provided it shall in this respect comply with the prescriptions of the laws and regulations governing such matters.

Return to Legislature.

12. The corporation shall, whenever required by the Lieutenant Governor in Council, send to each of the three branches of the Legislature of this Province a detailed statement of the immoveables held by it under this act, as well as of the amount of its revenues.

Application of revenues

13. The revenues of the corporation shall be employed solely for the purposes of the corporation.

Coming into force.

14. This act shall come into force on the day of its sanction.

CHAP. 100

An Act to incorporate the *Congrégation des Servantes du Très Saint Sacrement*

[Assented to 9th March, 1906]

Preamble.

WHEREAS the religious ladies hereinafter mentioned called *Servantes du Très Saint Sacrement*, have, by their petition, represented:

That they have founded a house of their order in the town of Chicoutimi, in the diocese of Chicoutimi, in the Province of Quebec, for the purpose of devoting themselves in common to works of piety, mercy and charity in accordance with the contemplative life they lead;

That His Lordship, Monseigneur Michel Thomas Labrecque, bishop of Chicoutimi, has approved of their establishment in his diocese;

Whereas they have prayed to be incorporated, and it is expedient to grant their prayer;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

1. Reverend Mother Marie Pauline du Saint Sacrement (*née* Louise Giboin) superioress; the Reverend Sisters Clémentine du Saint Sacrement (*née* Clémentine Dubois) assistant; Aimée de Jésus du Saint Sacrement (*née* Marie Plante) councillor and bursar; Léontine du Saint Sacrement (*née* Leontine Negrier); M. Laurence du Saint Sacrement (*née* Marie Empéreur); M. Clothilde du Saint Sacrement (*née* Clothilde Usureau); Beatrix de Jésus du Saint Sacrement (*née* Marie Masse); Marie Rose du Saint Sacrement (*née* Marie Giasson); Eve de Jésus du Saint Sacrement (*née* M. Louise Giasson); Rose de Jésus du Saint Sacrement (*née* Eugénie Gadbois); M. Anastasie du Saint Sacrement (*née* Marie Borel); Mathilde de Jésus du Saint Sacrement (*née* Georgette Rondeau) and the other members of their congregation, together with such persons as may, in accordance with their constitution and regulations, associate themselves with or succeed them, are incorporated under the name of the "*Congrégation des Servantes du Très Saint Sacrement.*"

2. The corporation shall have perpetual succession, and may have a common seal which it may change at will.

3. The corporation may:

- a. Appear before the courts as any person may;
- b. Accept, acquire and possess moveable and immoveable property by any legal title, provided the total value of the immoveables owned by the congregation does not exceed the sum of one hundred thousand dollars, which shall be established by the valuation roll of the municipality or municipalities in which the immoveables shall be situated;
- c. Lease, hypothecate, sell, exchange, convey or otherwise alienate all its moveable and immoveable property by any title whatsoever;
- d. Make by-laws respecting its internal government, the administration and disposal of its property, and amend or repeal the same when necessary;
- e. Appoint officers, procurators and administrators, determine their number and powers and also appoint a procurator outside the congregation;
- f. In a word, exercise all the powers necessary for its purposes.

General corporate powers.

Corporate
seat, and
change there-
of.

4. The corporate seat of the corporation shall be in the town of Chicoutimi, in the county of Chicoutimi, but it may be removed to any other part of the Province by by-law adopted by the council of the corporation, after notice approved by the Lieutenant-Governor in council and published during one month in the *Quebec Official Gazette*.

Documents
binding upon
corporation.

5. The signatures of the superioress, the assistant and the bursar, constituting the council of the corporation or of any person authorized by a resolution of such council, shall suffice to bind the corporation.

Establish-
ment of
monasteries,
&c.

6. The corporation may found, establish and maintain novitiates, monasteries and branch establishments at any place in the Province; erect such buildings as may be suitable for its purposes, and in particular build a chapel to which the public may be admitted in every locality where it may so have an establishment; establish a cemetery on the property of each of its establishments for the purpose of depositing therein the mortal remains of its members, provided it complies with the laws, prescriptions and regulations enacted by civil authority in such matters.

Certain acts,
&c., ratified.

7. All acts performed by the said sisters since they have been established at Chicoutimi shall be as valid as if this act had been in force at the date when such acts were performed.

Certain
property
vested in
corporation.

All the moveable and immoveable property now owned by the said sisters shall be transferred to and vested in the corporation, especially lots numbers 375 and 388 of the official cadastre of the town of Chicoutimi, and lot number 374-2 of the last redivision of the said cadastre, acquired from F. X. Gosselin and his wife by the said superioress and assistant superioress, by deed dated the first of December, 1904, under number 14686 of the minutes of T. Z. Cloutier, notary.

Rights, &c.,
of corpo-
ration, &c.

The corporation shall have and exercise all the rights belonging to the community and shall be subject to all the obligations contracted by it.

Annual re-
turn to Gov-
ernment.

8. The corporation shall transmit, yearly, to the Lieutenant-Governor in council, a statement of the immoveables held by it under this act, as well as a copy of the rules and regulations of the community and the names of its officers, procurators and administrators.

Coming into
force.

9. This act shall come into force on the day of its sanction.

CHAP. 101

An Act to incorporate *Les Sœurs de St. François d'Assise*

[Assented to 9th March, 1906]

WHEREAS it has been represented, by the petition of the following persons, to wit: Dames Philomène Vouillon, in religion Mother Marie Victorine; Marie Josephine Fleuret, in religion Sister Marie Gertrude; Marie Claudine Vaillant, in religion Sister Marie Angeline; and Marie Dufour, in religion Sister Marie Emilienne, nuns residing at St. François de Beauce, district of Beauce, that they are at present members of a religious community devoted to the care of the sick, aged and orphans and to teaching under the name of *Les Sœurs de St. François d'Assise*, and they have applied to this Legislature to be incorporated under the name of *Les Sœurs de St. François d'Assise*, and whereas it is expedient to grant such prayer;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

1. Dames Philomène Vouillon, in religion Mother Marie Victorine; Marie Josephine Fleuret, in religion Sister Marie Gertrude; Marie Claudine Vaillant, in religion Sister Marie Angeline, and Marie Dufour, in religion Sister Marie Emilienne, members of the said religious community, and such other persons as now are or may hereafter become members thereof, are hereby incorporated for the aforesaid purposes under the name of "*Les Sœurs de St. François d'Assise*."

Persons incorporated.

Name.

2. Under such name the corporation shall have perpetual succession and may:

General powers of corporation.

- a. Appear before the courts;
- b. Acquire, receive and possess all moveable and immovable property of any kind whatsoever, hypothecate, sell, lease or otherwise dispose of the same and acquire others in lieu thereof; provided the value of such property shall not exceed the sum of one hundred thousand dollars;
- c. Adopt regulations and by-laws for the government of the community, the management of the corporation and the general administration of its affairs.

3. The signature of the superioress, affixed in virtue of a resolution of the council appointed to assist her, shall suffice to bind the corporation.

Signature to bind corporation.

Power to
found
branches, &c.

4. The corporation may found, establish and maintain at any place in this Province, novitiates, convents, hospitals or branches; it may thereon erect the necessary buildings and establish cemeteries for the interment of the members of the community and of persons under its control. by complying with the formalities required by law.

Return to
Lieutenant-
Governor in
council and
what to con-
tain.

5. The corporation shall, when thereunto required by the Lieutenant-Governor in council, furnish a detailed statement of the moveable and immoveable property held and possessed by it under this act, together with the regulations and by-laws of the community mentioned in section 2, and the names of its officers, procurators and administrators

Corporate
seat.

6. The corporate seat of the corporation shall be in the parish of St. François d'Assise, county of Beauce, district of Beauce.

Coming into
force.

7. This act shall come into force on the day of its sanction.

CHAP. 102

An Act to incorporate the *Club Viger* of Montreal

[Assented to 9th March, 1906]

Preamble.

WHEREAS the persons hereinafter mentioned and a great many others, of the city of Montreal, have associated themselves with a view to common amusement and have, by their petition, prayed to be incorporated under the name of *Le Club Viger*, and it is expedient to grant such prayer;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

Persons in-
corporated.

1. Joseph Charles Hector Dussault, Thomas Emilien Huot, J. Alfred Naud, Côme A. Dugas, Joseph A. Landry, Edouard Plamondon, and Gustave Martin, and all other persons who are now or who may hereafter become members of the association under the rules and by-laws thereof, are constituted a body politic under the name of the "*Club Viger*."

Name.

Power to
acquire
property
&c.

2. The corporation may acquire, either by gift, purchase or lease, and hold immoveable property situated in or near the limits of the city of Montreal, and may sell, exchange, hypothecate and lease the same, and perform all acts of ownership in

connection therewith, provided the value of such immoveables shall not exceed one hundred thousand dollars.

3. The constitution and by-laws now in force with respect to the admission and expulsion of members, the government of the club, and the administration of the property, interests and general affairs of the association, in so far as they are not contrary to the laws of the Province, shall be the constitution and by-laws of the corporation, and it may repeal, amend or alter the same, in whole or in part, proceeding in the manner prescribed by the constitution and by-laws then in force. Present by-laws, &c.

4. All the property and effects now belonging to or owned by or on behalf of the association are hereby vested in the corporation and shall be employed solely for the purposes of the corporation. Property vested in corporation.

All debts and claims which may be due to the association shall belong to the corporation which may recover the same by all lawful means, and the corporation shall be responsible for the debts and obligations of the association. Debts due to association.

5. The members of the corporation shall not be liable for any of its debts beyond the amount of their admission fee and of their subscription and of the annual or special calls which may be, from time to time, levied according to the by-laws then in force; provided, always, that any member who shall have paid both his admission fee and the contributions called for, may cease to form part of such corporation by giving a written notice to the secretary of his desire to cease to form part thereof. Mention shall be made in the register by the secretary of the fact and date of the reception of any such notice, and from that moment the member who has resigned, shall cease to be responsible for the debts or obligations contracted by the corporation, and, at the same time, shall forfeit all the rights and privileges which he enjoyed as member. Members not liable for debts of corporation. Resignation of members.

6. Every member expelled for any of the reasons mentioned in the by-laws shall forfeit all the rights and privileges he enjoyed as a member; but he shall remain responsible for all sums for which he may be indebted, both as regards his entrance fee and the subsequent contributions levied to the date of his expulsion. Forfeiture of rights as member.

7. The rents, revenues, and profits arising from any of the moveables or immoveables belonging to the corporation shall be set apart and employed for the exclusive use of the corporation, in constructing and repairing the buildings required for the purposes of the corporation and the payment of the wages of the employees and of other expenses lawfully incurred. Application, &c., of revenues.

for the attainment of any of the objects connected with its purposes.

Corporate
seat.

8. The corporate seat of the corporation shall be in the city of Montreal.

Coming into
force.

9. This act shall come into force on the day of its sanction.

CHAP. 103

An Act respecting the Montefiore Club

[Assented to 9th March, 1906]

Preamble.

WHEREAS a petition has been presented by the Montefiore Club, founded in 1880, and incorporated in 1889 under article 5487 and following of the Revised Statutes, praying for an act to confirm its incorporation and to increase its powers; and whereas it is expedient to grant such prayer;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

Club continued and powers as such.

1. The corporation known as the Montefiore Club shall, by that name, continue to be a body politic and corporate and shall have perpetual succession and a common seal. It shall continue to own the property now belonging to it and to be responsible for its debts.

Head office and objects of club.

2. The principal place of business of the corporation shall be in the city of Montreal, and its objects shall be to promote social intercourse among its members, to encourage athletic, literary, dramatic, scientific and artistic pursuits, and to assist deserving projects of a charitable or educational nature.

Members.

Officers.

3. The corporation shall consist of the members now constituting the said club, and those who may be hereafter elected as such, and the present council and officers of the club, shall continue in office until replaced in accordance with the by-laws and regulations of the corporation.

Power to acquire, &c., property.

4. The corporation by that name shall at all times have the power to receive, acquire, exchange, hold, lease and enjoy both moveable and immovable property, necessary for its actual use or occupation, and the said property to pledge, hypothecate, sell, alienate and dispose of, and to acquire other

instead thereof, but the corporation shall not hold immoveable property exceeding the annual value of ten thousand dollars. All acts of the nature above set forth, already done by the said corporation, are ratified.

Amount of immoveables limited. Certain acts ratified.

5. The corporation shall have the power to draw, make, endorse and accept bills of exchange and promissory notes necessary for the purposes of the club, and to grant certificates in acknowledgment of loans made to it by its members, bearing such interest, and redeemable upon such terms as the club may see fit.

Power to make, &c., promissory notes, &c.

6. The by-laws and regulations, now in force, touching the admission and the expulsion of members and the management and administration generally of the affairs of the club, in so far as they are not inconsistent with the laws of this Province, shall continue to be the by-laws and regulations of the said corporation; provided always that the corporation may, from time to time, alter, repeal, and change the whole or any part of such by-laws and regulations as the corporation may see fit, and that it may delegate the right so to do, in respect of the said regulations, to the council of the club.

Present by-laws continued.

Power to change, &c., same.

7. No member of the corporation shall be personally liable for any of the debts thereof.

Members not personally liable for debts.

8. Any member of the corporation, not being in arrears and not otherwise obligated to the club, may retire therefrom, and shall cease to be such member on giving notice to that effect in such form as may be required by the by-laws and regulations of the club; and every member expelled or retiring from the club, or whose name shall have been struck off the list of members for any of the reasons mentioned in the said by-laws or regulations, shall *ipso facto* forfeit all rights of membership.

Withdrawal of members, &c.

9. The club may, upon resolution adopted by the majority of its members present at a special meeting convened for that purpose, issue stock, in preferred or ordinary shares or both, not exceeding in the aggregate fifty thousand dollars; such stock to be issued in such instalments and denominations and subject to such conditions and restrictions as to allotments, payments, transfers, preferences, votes, dividends and redemptions, as the club may, from time to time, by one or more resolutions, deem advisable. Part of such stock may be issued as fully paid up to members in discharge of loans made by them to the club.

Power to issue ordinary and preferred shares, &c.

10. The club, upon resolution adopted by two-thirds of its

Power to issue bonds, &c.

Bonds,
claim on
club property
after regis-
tration.

members present at a meeting specially convened for such purpose, may issue bonds or debentures to the amount of seventy-five per cent. of the total value of its immoveable property, containing such terms and conditions as the resolution may determine. Such bonds or debentures, after their registration in the office of the registration division in which the said immoveable property is situated (which must be described in a notice to that effect given to the registrar), shall constitute a privileged claim in favor of the holders thereof against the corporation, and give a right of preference thereto over debts and claims against the corporation, posterior to the issuing of such bonds or debentures.

Trust deed
may be ex-
ecuted cre-
ating mort-
gage on club
property, &c.

11. To secure the payment of its bonds or debentures, the club may, by its duly authorized officers, grant to one or more trustees, an hypothec upon the immoveable property of the corporation mentioning the issue and the amount of the bonds or debentures secured thereby; and such hypothec shall, when duly registered, be a valid security in favor of the holders of such bonds or debentures, issued before or after the execution of such hypothec, notwithstanding article 2017 of the Civil Code.

Coming into
force.

12. This act shall come into force on the day of its sanction.

CHAP. 104

An Act to incorporate *L'Association Athlétique d'Amateurs Nationale*

[Assented to 9th March, 1906]

Preamble.

WHEREAS the persons hereinafter mentioned and a great many others of the city of Montreal have associated themselves for the formation of an athletic association under the name of *L'Association Athlétique d'Amateurs Nationale*, which still exists; whereas the persons hereinafter named have, by their petition, prayed to be incorporated, under the above name, for the purpose of encouraging physical exercises in the city of Montreal, and it is expedient to grant such prayer;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

Persons in-
corporated.

1. Joseph A. Mercier, Joseph P. Gadbois, Edouard Charles St. Père, Adélard Gauthier, Raoul Lanthier fils, Nazaire Gau-

thier, Edmond Truteau, Ovila Ledoux and Léon Rolland, and all other persons who are now members of the association, or who may hereafter become members of the corporation, are constituted a body politic and corporate for the purposes above mentioned, under the name of "*L'Association Athlétique d'Amateurs Nationale*." Name.

2. The corporation may acquire, accept, receive and possess all lands, buildings and other property or immoveables situated in the city of Montreal or in its vicinity, the use or occupation whereof shall be necessary for the attainments of the ends for which it is incorporated, also hypothecate, sell, alienate, convey, lease or exchange the same and acquire others in lieu thereof as it may deem expedient; but the value of such property shall not exceed the sum of one hundred thousand dollars. Power to hold, &c., property. Proviso.

3. The constitution, rules and by-laws, now in force, respecting the admission and expulsion of its members and the administration and management of the affairs of the association in so far as they are not contrary to the laws of this Province, shall remain the constitution, rules and by-laws of the corporation, provided always that it may, from time to time, amend or repeal the same, in whole or in part in the manner therein provided for. Present constitution, &c.

4. All the property and effects acquired, possessed or held in trust for or by the association, shall be the property of the corporation and shall be employed solely in its interest or for the ends it has in view, and all debts, claims for subscriptions or dues of members or other rights belonging to the association, under its rules, by-laws and constitution, shall belong to the corporation, and the latter shall be responsible for the debts and obligations of the association. Property vested in corporation, &c.

5. No member of the corporation shall be responsible for the debts of the corporation beyond the amount of the entrance fees and of the share of each member respectively in the subsequent dues or contributions which may be levied upon all the members and remain unpaid. Members not liable for debts of corporation.

Every member of the corporation who is not in arrears may withdraw and cease to form part thereof by giving notice in the manner prescribed in the constitution, rules and by-laws and he shall no longer be liable for any of its debts or obligations. Withdrawal of members.

Every member who is expelled or who retires from the corporation of his own accord, or whose name is struck from the list of members for any of the causes mentioned in the constitution, rules and by-laws, shall forfeit all his rights in the corporation. Forfeiture of rights as member.

Application
of revenues.

6. The rents, revenues and profits derived from any moveable or immoveable property belonging to the corporation or from any other source, shall be applied and employed for the exclusive use of the corporation in the construction and repair of the buildings and lands required by the corporation and in the payment of the lawful expenses incurred in the attainment of its objects above mentioned.

Corporate
seat.

7. The corporate seat of the corporation shall be in the city of Montreal.

Coming into
force.

8. This act shall come into force on the day of its sanction.

CHAP. 105

An Act to incorporate the Provincial Mutual Billiards and Bowling Alleys Association

[Assented to 9th March, 1906]

Preamble.

WHEREAS E. L. Ethier, Ed. Girard, Edouard Beauchamp, Arthur Marcotte, Napoléon Labelle, Stanislas Bombardier and a great many others, all proprietors of billiard rooms or bowling alleys in the Province of Quebec, have, by petition, prayed to be incorporated under the name of the Provincial Mutual Billiards and Bowling Alleys Association, and vested with certain powers hereinafter mentioned and it is expedient to grant their petition;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

Persons in-
corporated.
Name.

1. The persons aforesaid and others, who now are or may hereafter become members, are constituted a body politic and corporate under the name of "the Provincial Mutual Billiards and Bowling Alleys Association."

Objects of
association.

2. The object of the association is to unite all the members thereof into an association for the protection of their rights as license-holders; to assure the respectability of the members of the association; to assist the authorities in the suppression of unlicensed houses; to assist the authorities in having the license law respected, and to secure certain benefits for the families of deceased members.

Existing by-
laws, &c.

3. The rules and by-laws now in force respecting the admis-

sion and expulsion of members and the general administration of the affairs of the association, in so far as they are not inconsistent with the laws of the Province, shall be the rules and by-laws of the corporation, provided always that the corporation may, from time to time, amend and repeal and alter such rules and by-laws, wholly or in part, in the manner prescribed in the rules and by-laws then in force.

4. The affairs of the corporation shall be managed by a president, a vice-president, a secretary-treasurer and a board of management consisting of four members elected annually at the general meeting held on the second Tuesday of November in every year, according to the rules and by-laws of the said association, and they together shall constitute a board of management, and shall remain in office until the following annual election. All vacancies arising in the board of management by death or otherwise shall be filled by the said board of management according to the rules and by-laws of the said association.

Board of management.
Election of members thereof.
Vacancies in board.

5. E. L. Ethier, Napoléon Labelle, F. Girard, Art. Marcotte, S. Bombardier, N. Carrière and M. Lahaise shall constitute the board of management until others are elected in their stead under the provisions of this act.

Provisional board.

6. The corporation may, from time to time and at any time, acquire and hold moveable and immoveable property, provided the value of the said immoveables shall not exceed one hundred thousand dollars, and may sell or hypothecate the same whenever it may be deemed expedient and may acquire others in lieu thereof.

Power to hold, &c., property.

7. No member or officer shall be in any manner liable for any debt beyond the amount of his unpaid subscription; and any member of the association who is not indebted for arrears may withdraw therefrom and cease to be a member, by giving notice to that effect in the manner prescribed by the rules and by-laws of the association, and thereupon he shall be completely free from all liability by reason of any debt or obligation of the association; and every member who is expelled or who shall withdraw from the association or whose name is struck from the list of members for any of the reasons mentioned in the rules or by-laws shall forfeit all the rights he enjoyed as a member of the association.

Members not personally liable for debts.
Withdrawal of members, &c.

8. This act shall come into force on the day of its sanction.

Coming into force.

CHAP. 106

An Act to incorporate the Association of Hotel-Keepers of the Province of Quebec

[Assented to 9th March, 1906]

Preamble.

WHEREAS Thomas J. Samson, hotel-keeper, of Warwick; Joseph M. Doré, hotel-keeper, of Ste. Marie de la Beauce; E. Alfred Lambert, hotel-keeper, of Beauceville; J. A. Lavigne, hotel-keeper, of Trois Pistoles; Henri Deschesnes, hotel-keeper, of St. Alexandre; Jean Baptiste Gosselin, and Zoel Marceau, hotel-keepers, of Lyster; George Couture, hotel-keeper, of Ste. Julie; G. A. Michaud, hotel-keeper, of Ste. Anne de la Pocatière; Eugène Morissette, hotel-keeper, of Ste. Flavie; and Philémon Gilbert, hotel-keeper of Scott, Beauce, have, by their petition, prayed to be incorporated under the name of the Association of Hotel-Keepers of the Province of Quebec with the view to mutual protection in the plying of their trade, and also with the view of protecting the travelling public and securing the comfort of such public in hotels scattered throughout the Province of Quebec outside the cities of Quebec and Montreal;

Whereas, under the circumstances, it is expedient to grant the aforesaid petitioners' prayer;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

Persons incorporated.

1. The above-mentioned petitioners and all other persons who may hereafter become members of the said association, shall for the purposes above set forth, constitute a corporation under the name of "The Association of Hotel-Keepers of the Province of Quebec."

Name.**Corporate powers.**

2. The corporation shall have all the rights and powers pertaining to civil corporations.

Power to possess, &c., property.**Proviso.**

3. It may acquire, possess and dispose of all kinds of moveable and immoveable property, for its own use and purposes, provided that the value of such immoveable property shall not exceed the sum of one hundred thousand dollars.

Other powers of association.

4. It may appear before the courts, borrow, negotiate bills to order and commercial securities for the purposes of the corporation by complying with the formalities required in that respect by the by-laws of the corporation; it may pass by-laws for the admission of members, the appointment or election

of its officers, and for accomplishing the objects of the corporation.

5. It may also pass by-laws for determining the members' contribution and the payment thereof, and for defining the extent and exercise of the powers of the officers and directors of the said association. Power to pass certain by-laws.

6. The corporate seat of the corporation shall be in the city of Quebec. Corporate seat.

7. The quorum of meetings of the corporation shall be five members. Another quorum may be fixed by by-law of the corporation. Quorum of meetings.

The board of directors shall consist of five members. Numbers of directors.

8. This act shall come into force on the day of its sanction. Coming into force.

CHAP. 107

An Act to ratify and confirm a certain deed of sale from Edmund William Tobin and Frank N. McCrea to the Lotbiniere Lumber Company

[Assented to 9th March, 1906]

WHEREAS The Lotbiniere Lumber Company has, by its petition, represented that, by deed passed before Edouard Honoré Bégin, notary public, on the first day of August, one thousand nine hundred and two, it acquired from Edmund William Tobin and Frank N. McCrea, all the unconceded land and all the interest, property and rights of the vendors in and to the seignior of St. Jean Des Chaillons, together with the constituted rents and capital thereof due by the *censitaires* of said seignior, and certain other lots of land, the whole as therein described; that, in addition to the general description of the seignior sold, the cadastral numbers of the lots are set out in the said deed, but that, by inadvertence, lots numbers one hundred and ten, five hundred and seventy and subdivision number forty-five of lot number seven hundred and twenty-three are left out, although included and intended to be included in the general terms of the description of the properties sold, and that the said Edmund William Tobin and Frank N. McCrea had acquired the same by purchase, from King Brothers; Preamble.

Whereas it has further represented that, through inadvertence in drafting the deed of sale by licitation from dame L. A.

King and others to the firm of King Brothers of the 25th September, 1877, passed before Strang, N. P., the interests of all the parties to the said deed were not clearly assigned to the said firm of King Brothers although the portion of the purchase price to them accruing was duly paid to the parties whose interests were not clearly assigned, and whereas doubts have arisen as to the rights of the said King Brothers and their assigns, the said Tobin and McCrea, to sell the said property; and whereas it has prayed that the said doubts be removed and the said deed be ratified and confirmed, and the said The Lotbiniere Lumber Company declared to be the sole owners and proprietors of the said property;

Whereas King Brothers have consented and agreed to the passing of an act ratifying and confirming the said deed of sale and transfer;

And whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

Certain deed of sale of 1st August, 1902, ratified and confirmed.

Property sold thereby vested in Lotbiniere Lumber Company.

1. The deed of sale and transfer from Edmund William Tobin and Frank N. McCrea to The Lotbiniere Lumber Company, passed before Edouard Honoré Bégin, notary public, on the first day of August, nineteen hundred and two (copy whereof is annexed as a schedule to this act), is hereby ratified and confirmed, and the said The Lotbiniere Lumber Company are declared to be and to have been from the said day the sole owners and proprietors of the whole of the said unconceded portions of the said seigniory of St. Jean des Chaillons, constituted rents and the capital thereof due by the *censitaires* of the conceded portion, and the other immoveable property described in the said deed, and also of lots numbers one hundred and ten (110), five hundred and seventy (570) and subdivision forty-five (45) of lot number seven hundred and twenty-three (723) of the official cadastral plan of the parish of St. Jean Des Chaillons.

Coming into force.

2. This act shall come into force on the day of its sanction.

SCHEDULE

BEFORE the undersigned, EDOUARD HONORÉ BEGIN, notary public for the Province of Quebec, residing and practising at the town of Richmond, in the district of Saint Francis,

CAME AND APPEARED:

MESSRS. EDMUND WILLIAM TOBIN, lumber merchant, of Brompton Falls, in the township of Brompton, in the county of Richmond, and FRANK N. McCREA, lumber merchant, of the city of Sherbrooke, both being hereinafter referred to as the "vendors,"

AND

THE LOTBINIERE LUMBER COMPANY, a body politic duly incorporated by letters patent of the Province of Quebec, having its head office and principal place of business at a place called Lyster, in the county of Megantic, and hereto represented and acting by and through the ministry of Joseph Alphonse Bégin, of the town of Windsor Mills, in the said Province, notary public, and the secretary-treasurer of the said company, duly authorized to the effect hereof by virtue of a resolution of the said company passed on the thirty-first day of July last, 1902, a copy whereof is hereunto annexed after having been signed *ne varietur* by the parties hereto and the undersigned notary, said The Lotbiniere Lumber Company being hereinafter referred to as the "purchasers."

Which said vendors do hereby sell, transfer, convey and assign in full ownership unto the said purchasers, accepting for themselves and assigns without any other warranty whatsoever, legal or otherwise, than what they have themselves received:

1. All the unconceded land and all the interest, property and rights generally whatsoever of the vendors at the date of these presents in and to the seigniory of St. Jean Deschaillons, Province of Quebec, described in the concession deeds, in the French language as follows:

" I. Deux lieues de terre de front lelong du fleuve St. Laurent à commencer à quatre arpents en deca de la Rivière des Chênes en montant le long du dit fleuve, et deux lieues de profondeur dans les terres qui sont non concédées.

“ II. L'étendue de quatre lieues et demi de profondeur sur le front de la Rivière du Chêne, la dite profondeur à prendre au bout de la lieue et demi que contient la seigneurie de la dite Rivière du Chêne dont le Sr. Deschaillons est déjà en possession.”

The present sale including that part of the said seigniority now described as lot seven hundred and twenty-three, 723, with all the subdivisions of said lot 723, numbering consecutively from sixty-one to one hundred and sixty-eight, both inclusive, upon the official cadastral plans and in the books of reference thereto for the parish of St. Jean Deschaillons in the county of Lotbiniere, containing said lot number 723 and its said subdivisions, exclusive of lots Nos. one to sixty, both included, an area of fifty-nine thousand arpents, more or less, but without any warranty as to measurement, together with the mill thereon, with all its appurtenances and contents, including all the tools, machinery, vehicles and boats and everything in any way connected with all railway and lumbering operations, being and to be found on and within the limits of the aforesaid seigniority or any other property therewith herein conveyed and all other dependencies thereunto pertaining and belonging, without any reserve or exception whatsoever, as the vendors now hold the same.

2. All those certain lots of land situate in the county of Megantic being formerly known as the lots one, two, three, four, five, six and seven in the first range of the augmentation of Somerset, and as the lots one, two, three, four, five, six and seven in the second range of said augmentation and now described as lots Nos. one, two, three, four, five, six and seven upon the official cadastral plan and in the book of reference thereto for the first range of the said augmentation of Somerset, and as lots numbers twenty-eight, twenty-nine, thirty, thirty-one, thirty-two, thirty-three and thirty-four upon the official cadastral plan and in the book of reference thereto for the second range of the said augmentation of Somerset, containing altogether an area of thirteen hundred and eighty-five acres, more or less, without any warranty as to measurement.

3. All those certain lots of land situate in the county of Arthabaska, described under the numbers twenty-four, twenty-five, twenty-six, twenty-seven, twenty-eight and twenty-nine upon the official cadastral plan and in the book of reference thereto for the eighth range of the township of Blandford, and lots numbers nineteen, twenty, twenty-one, twenty-two, twenty-three, twenty-four, twenty-five, twenty-six, twenty-seven, twenty-eight and twenty-nine upon the official cadastral plan and in the book of reference thereto for the ninth range of the said township of Blandford, containing about three thousand five hundred and seventy acres, more or less, but without any warranty as to contents.

4. All those certain lots of land situate in the county of Nicolet, described as the lots numbers sixteen, seventeen and eighteen in the ninth range of the township of Blandford, containing altogether an area of six hundred and forty seven acres, more or less, without any warranty as to contents.

5. All the constituted rents whatsoever representing the *cens et rentes* of the seigniori of St. Jean Deschaillons according to the cadastre thereof made by Joseph Turcotte, seigniorial commissioner, on the fifteenth day of December, eighteen hundred and fifty-seven, including all that may be due presently, or may hereafter become due, and the capital thereof and all arrears of interest and rents and the capital thereof and all other claims generally whatsoever arising from the alienation or lease of land, property or rights of any kind whatsoever by King Bros. or their authors within the limits of the said seigniori of St. Jean Deschaillons or in any manner therewith connected, and further all reservations made and all rights acquired by the said King Bros., or their authors, in and by all and every deed of alienation, or lease or any other instrument within the limits of the said seigniori and of the other lands above described, the whole without any exception whatever, as the same is presently held by the vendors.

6. All the rights, title and vendors' interest in the line of railway extending from Lyster, on the Grand Trunk Railway, to St. Jean Deschaillons, known as The Lotbiniere and Megantic Railway, part of which road passes through the seigniori aforesaid, with all the land, rights, property, real and personal, extensions, siding, branches, stations, bridges, shops, inclined railway, wharves, rolling stock, plant, implements, tools, supplies, contracts, privileges, grants, subsidies, bonuses of every kind and description whatsoever and wherever situate and thereto belonging or in any manner pertaining and therewith connected, with all the profits, revenues and benefits therefrom deriving, and thereunder accruing, with, moreover, absolutely all stock and shares therein, the same all duly paid up, without any exception or reserve whatsoever.

7. More generally, all the rights, interests and property whatsoever, moveable and immoveable, held by or belonging to the said vendors, or which might be claimed by or appear to belong to the new company, King Brothers, and to the old partnership, King Brothers, now dissolved, or to any of the members of the said firm individually or their representatives, or in any manner to the estate of the late James King, and lying and situate between the St. Lawrence River and the Grand Trunk Railway track, in the seigniori of St. Jean Deschaillons, and the limits above described and therewith connected, and also in the said Lotbiniere and Megantic Railway and therewith connected.

The present sale and transfer are meant to include and comprise all the rights, property and interest which the said vendors have acquired and have a right to acquire from the new company, King Brothers, and the old partnership, King Brothers, now dissolved, or any of the members of the said firm individually or their representatives, from the estate of the late James King and The Lotbiniere and Megantic Railway Company, or have against the above-named companies, firms and persons under and by virtue of a certain deed of sale and transfer by the said King Brothers in favor of the said vendors hereto, executed before the undersigned notary, the fourth day of July, in the year nineteen hundred and two, under the number four hundred and ninety-three of his notarial minutes, and also by and in virtue of any other instrument in writing by the said firm, King Brothers, signed and executed in favor of the vendors hereto.

The said Edmund William Tobin and Frank N. McCrea have acquired the said property, rights and interest in their personal name with the only view of transferring the same to the purchasers hereto, the said The Lotbiniere Lumber Company, because at the time they bought, to wit: the fourth day of July, nineteen hundred and two, the said The Lotbiniere Lumber Company had not yet obtained their letters patent.

The present sale and transfer is so made for the price of fifty thousand dollars, which the said vendors, Edmund William Tobin and Frank N. McCrea, hereby acknowledge to have had and received from the said The Lotbiniere Lumber Company before the execution of these presents, whereof quit; and in consideration of these presents, the said the Lotbiniere Lumber Co. do hereby bind and oblige themselves to pay to the full discharge of the said Edmund William Tobin and Frank N. McCrea all sums of money, in principal and interest and otherwise due and payable by them, under and by virtue of the said deed of sale and transfer above cited and by and in virtue of all other instruments in writing executed before this date between the said Edmund William Tobin and Frank N. McCrea and the said King Brothers and their representatives, or by any of them, and furthermore the said purchasers do hereby bind and oblige themselves towards the said Edmund William Tobin and Frank N. McCrea, accepting, to fulfill for them and to their entire exoneration, all the obligations which the said Edmund William Tobin and Frank N. McCrea have contracted under and by virtue of the above-mentioned deed of sale and other instruments in writing, the whole without any exception whatever, and the purchasers hereto hereby acknowledge to have taken full cognizance of all of the said obligations to fulfill and to have ascertained the amount of money they will have to pay for the said Edmund William Tobin and Frank N. McCrea and the nature of the debts

to be satisfied as above-mentioned and more specially the balance of two hundred thousand dollars and the interest thereon at four per cent due to King Brothers thereunder.

WHEREOF ACTE.

Executed at the town of Windsor Mills, on the first day of August, in the year one thousand nine hundred and two, and after reading hereof the parties hereto have signed these presents with and in the presence of the undersigned notary, in faith and testimony whereof, under the number five hundred and ten of the minutes of the undersigned notary.

(Signed) E. W. TOBIN,
 " F. N. McCREA,
 " The Lotbiniere Lumber Company
 per J. A. BEGIN, Sec.-Treas.
 " E. H. BEGIN, N.P.

A true copy of the original hereof remaining of record in my office.

E. H. BEGIN, N.P.

CHAP. 108

An Act respecting the trustees of the estate James O'Brien

[Assented to 9th March, 1906]

WHEREAS Suzan M. Whitney, Sara O'Brien Amos, E. C. Amos, James O'Brien, Edward M. O'Brien, Anna Mary O'Brien, wife of Alexander Buchanan, and W. P. O'Brien, all the legatees of age of the late Honorable James O'Brien, senator, have, by their petition, represented:

That the remuneration granted by the latter's will and codicil to the three trustees, to whom his estate is bequeathed in trust and their successors in office, is, owing to the nature of the trust, inadequate and should, in the interest of the estate, be increased to the sum of five thousand dollars per annum for the three, and have prayed that such increase be allowed;

Whereas it is expedient to grant such prayer;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

- Remuneration of trustees under Senator O'Brien's will increased.** **1.** The remuneration of the trustees appointed by the late Honorable James O'Brien, senator for the Dominion of Canada, by the latter's will of the 25th June, 1896, Lonergan N. P., and codicil of the 30th November, 1901, before the same notary, to administer his estate, and of their successors in office, is hereby increased to the sum of five thousand dollars per annum for the three of them, to be distributed among them as the majority may determine, but each trustee to receive not less than the sum of one thousand five hundred dollars per annum; provided always that the net revenues of the estate be sufficient to pay the said remuneration in addition to the annuities bequeathed by the will, anything in the said will and codicil to the contrary notwithstanding.
- Proviso.**
- Reduction of amount in certain event.** **2.** If, after the partial distribution of the estate, provided in the said will to take place in the year 1920, the total net income of the residue of the estate available for distribution among the beneficiaries, at any time after the said year 1920, fall below the total net income received by the said beneficiaries in the year preceding such distribution, then the said remuneration of the said trustees shall be reduced in the same proportion, it being understood, however, that the said remuneration shall not in any case be more than five thousand dollars per annum.
- Proviso.**
- When increase to begin.** **3.** The said increase shall begin with the current year, that is, shall take effect from the 29th of May, 1905.
- Coming into force.** **4.** This act shall come into force on the day of its sanction.

CHAP. 109

An Act to ratify a deed between Magloire Brayer *dît* St. Pierre, senior, and his wife, and Magloire Brayer *dît* St. Pierre, junior

[*Assented to 9th March, 1906*]

Preamble. **W**HEREAS Magloire Brayer *dît* St. Pierre, senior, and Magloire Brayer *dît* St. Pierre, junior, have by their petition represented:

That, by deed of contract of marriage between Magloire Brayer *dît* St. Pierre, junior, and Alexina Martin, dated the 24th October, 1898, before Mtre. J. A. Chauret, notary public, Magloire Brayer *dît* St. Pierre, senior, and his wife, for the purpose of settling their son, Magloire Brayer *dît* St. Pierre, junior, gave the latter by gift *inter vivos* and irrevocable: "a lot of land situated in the parish of St. Raphael de l'Ile Bizard, known

and designated on the official cadastral plan and book of reference of the said parish under No. 80," the said immoveable to remain *propre de communauté* of the said Magloire Brayer dit St. Pierre, junior;

That, by the said deed, the donee will have possession and enjoyment of the said immoveable only on the death of the survivor of the donors;

That it is further stipulated in the said deed of gift that the donee shall, for his own benefit, so long as he shall not have the final enjoyment of the said immoveable No. 80, seed either of the two lots belonging to the donors, to wit: lot No. 80 or lot No. 244 of the official cadastral plan and book of reference of the parish of St. Geneviève, according to the desire or will of the donors;

That the said gift is made subject to the obligation by the donee to pay all seigniorial dues, taxes, assessments and ground rents, and to keep his sister Clara with him;

That the said donors and donee valued in the said deed the said immoveable No. 80 at forty-five thousand *livres*, old currency, and that the said donors charged the donee to return the said immoveable to their succession, either in kind or by taking the sum of forty-five thousand *livres* less, in order that there might be equality between all the children of the donors;

That a hypothec is stipulated on the said immoveable to secure the fulfilment of the charges imposed upon the donee;

That the said gift is made subject to the obligation of the donee to restore the said immoveable to his children after his death and, in default of children, to his brothers and sisters. But in the event of the donee disposing of the said immoveable in favor of one or more of his children or descendants, the obligation to return shall be null and void;

That, by deed of renunciation, passed on the 4th July, 1903, between the said Magloire Brayer dit St. Pierre, senior, and his wife, and the said Magloire Brayer dit St. Pierre, junior, before Mtre. J. A. Chauret, notary, Magloire Brayer dit St. Pierre, senior and his wife disposed, in favor of the donee, of the enjoyment of the said immoveable No. 80, in consideration of the payment by the latter of a sum of twenty thousand francs, payable in the month of March, 1904;

That, by the said deed of renunciation, the said Magloire Brayer dit St. Pierre, senior, and his wife relieved the donee from the obligation of returning the said immoveable to their succession, either in kind or by taking less;

That, on his part, the donee renounced the right conferred upon him by the said contract of marriage to seed the said immoveable lot No. 244 for his benefit;

That the said contract of marriage and the said deed of renunciation have been registered;

That, in the month of March, 1905, by a suit bearing No. 1525 of the records of the Superior Court, at Montreal, Magloire Brayer *dit* St. Pierre, senior, claims from his son, Magloire Brayer *dit* St. Pierre, junior, the said sum of twenty thousand *livres*, with interest from the month of March, 1904, making in all an amount of three thousand five hundred dollars;

That Magloire Brayer *dit* St. Pierre, junior, contested the said suit, pleading in substance that the deed of renunciation of the 4th July, 1903, was null and void as constituting an agreement regarding a future succession, as modifying the matrimonial agreement resulting from the said contract of marriage of the 24th October, 1898, and as having for its object the setting aside of the substitution created by the said contract of marriage;

That doubts have arisen as to whether the said contract of marriage creates a substitution of the said immoveable No. 80; and in the event of such substitution being created, whether it can take effect in view of the obligations to return, which may extend not only to the donee, but also to his successors, whether substitutes in the substitution or not; whether the substitution can be valid when the obligation to return comprises all the property given, and when the property to be returned is neither defined nor determined; whether the deed of renunciation of the 4th July, 1903, modifies the agreements of the contract of marriage, and constitutes an agreement regarding a future succession;

That the parties, after issue joined and after proceeding before the court to argue the said case, in view of the facts above related, agreed to pass the deed of transaction reproduced in the schedule hereunto annexed;

That, in the interest of the parties and of the family of the parties, it is desirable to ratify such deed of transaction so as to finally settle the present suit and future suits which would certainly result from the said deed between the said children of the donors;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

Certain deed
of January
4th, 1906, ra-
tified.

1. The deed of transaction between Magloire Brayer *dit* St. Pierre, senior, and his wife, and Magloire Brayer *dit* St. Pierre, junior, before Mtre. J. A. Chauret, notary, dated the 4th January, 1906, and reproduced in the schedule hereto, is hereby ratified and rendered valid to all intents and purposes.

2. Magloire Brayer *dit* St. Pierre, senior, is declared the absolute owner of the immoveable known and designated under No. 80 on the official cadastral plan and book of reference of the

parish of St. Raphael de l'Ile Bizard; and the immoveable designated as No. 244 on the official cadastral plan and book of reference of the parish of St. Geneviève, is freed from the enjoyment constituted in favor of Magloire Brayer dit St. Pierre, junior, by the deed of contract of marriage of the 24th October, 1898, between the latter and Alexina Martin, and received by J. A. Chauret, notary.

3. The price of sale of five thousand six hundred dollars, mentioned in the deed of transaction, shall be the absolute property of the said Magloire Brayer dit St. Pierre, junior, who is relieved from the obligation to return such sum to the succession of his father and mother.

Certain price, absolute property of M. Brayer dit St. Pierre, junior.

4. The registration of the said deed of transaction regarding the immoveables mentioned in section 2 of this act shall have the effect of cancelling any hypothecary inscription which may result from the registration of the said contract of marriage of the 24th October, 1898, and the registration of the deed of renunciation of the 4th July, 1903.

Effect of registration of deed.

5. All the clauses of the deed of transaction shall have the same effect as if they were inserted in this act.

Effect of deed of transaction.

6. This act shall come into force on the day of its sanction.

Coming into force.

SCHEDULE

In the year nineteen hundred and six, on the fourth of January, before M^{RE}. JOSEPH ADOLPHE CHAURET, the undersigned notary public, in and for the Province of Quebec, residing and practising in the parish of St. Geneviève, in the district of Montreal,

CAME AND APPEARED:

Mr. MAGLOIRE BRAYER dit St. PIERRE, senior, farmer, of the parish of L'Ile Bizard, and Dame ADELINÉ LEGAULT dit DESLAURIERS, his wife, by him hereunto authorized, residing in the said parish of L'Ile Bizard,

Of the first part;

AND

Mr. MAGLOIRE BRAYER dit St. PIERRE, junior, farmer, of the parish of L'Ile Bizard,

Of the second part;

Which parties, for the purpose of putting an end to a suit now pending between them in a case bearing No. 1525 of the records of the Superior Court, Montreal, have covenanted as follows:

1. Whereas, by the contract of marriage entered into on the twenty-fourth of October, eighteen hundred and ninety-eight, between Mr. Magloire Brayer *dit* St. Pierre, junior, and Miss Alexina Martin, before J. A. Chauret, notary, Mr. Magloire Brayer *dit* St. Pierre, senior, and his wife, gave to the party of the second part as a settlement for him, certain moveable property and also the immoveable Number eighty of the cadastre of St. Raphael de l'Ile Bizard, subject to the substitution in favor of the children to be born of their future marriage, and, in default of children or descendants, in favor of the brothers and sisters of the defendant, such immoveable was valued by the parties at the sum of forty-five thousand *livres*, old currency;

It was further stipulated that the party of the second part should be bound to return to the succession of the donors or to take the sum of forty-five thousand *livres* of said currency less, in order that all the children of the donors might inherit equally, and, in the event of the party of the second part renouncing the succession of the donors, it was stipulated that he should be bound to return to such succession the amount he had received over and above that received by his brothers and sisters in order to maintain equality between them;

It was further stated in the said deed that the party of the second part should assume possession and enjoyment of the said immoveable upon the death of the survivor of the donors, the latter reserving the enjoyment and usufruct thereof until then, but it was also stipulated that the defendant should, for his own benefit and so long as he would not have the final enjoyment of lot Number eighty, seed either the said lot Number eighty or the lot Number two hundred and forty-four of the cadastre of the parish of Ste. Geneviève, at the choice of the donors;

2. Whereas, subsequently to the said contract of marriage and of the marriage of the defendant with the said Dame Alexina Martin, to wit: on the fourth of July, nineteen hundred and three, before Mtre J. A. Chauret, notary, a deed was passed between the said parties, to wit: the party of the first part and his wife, and the party of the second part, in which it was stated and declared that the party of the first part and his wife had, by the said contract of marriage, given to the party of the second part, the said immoveable Number eighty, valuing the same at the sum of forty-five thousand *livres* of said currency, in order that all the children of the donors should inherit equally, and, in the event of renunciation to the succession of the donors, the party of the second part was to return to the said succession the amount received by him, over and above

that received by his brothers and sisters, in order to maintain equality between them; that the party of the second part had the right to seed, for his own benefit, either said lot Number eighty, or lot Number two hundred and forty-four aforesaid; that the donors wished to renounce the enjoyment of lot Number eighty, under certain reservations and conditions and to finally settle the aforesaid return:

After thus setting forth the reasons of the parties, it was agreed that the donors should renounce the enjoyment and usufruct of lot Number eighty and the buildings thereon erected, subject to the reservation in favor of the donors of one-half of the house built on Number eighty, with every right of way for the peaceful and useful enjoyment of the said half of the house; that by the said deed it was stipulated that, in consideration of the abandonment of the said enjoyment, the party of the second part should pay to the donors the sum of twenty thousand *livres* old currency, in the month of March then next, (1904); that, in consideration of the said agreement, the donor should discharge the party of the second part from the obligation of returning to their respective successions the said sum of forty-five thousand *livres*, old currency as (the deed says), he was bound to do according to his contract of marriage if the party of the second part wished to renounce thereto; this had been stipulated in order that there might be equality between the children of the parties of the first part, considering that, by exacting the sum of twenty thousand *livres*, old currency, the party of the second part would not have more than the other children of the donors; that the party of the second part should renounce his right to seed lot Number two hundred and forty-four, with the reservation of the crop of the current year and the right to use the buildings until the following spring; finally that, for the security of the said sum of twenty thousand *livres*, old currency, lot Number eighty would be hypothecated subject to the vendors' privilege, (*baillieur de fonds*);

3. Whereas the party of the first part has instituted a suit against the party of the second part, under No. 1525 of the records of the Superior Court, Montreal, by which the party of the first part claims from the party of the second part the said sum of twenty thousand *livres*, old currency, with interest amounting to one hundred and sixty-six dollars and sixty-six cents, making in all the sum of three thousand five hundred dollars for the recovery of the sum of twenty thousand *livres*, old currency, stipulated as payable by the said deed of the fourth of July, nineteen hundred and three;

4. Whereas the party of the second part has contested the said suit, pleading in substance that the said deed of the fourth of July, nineteen hundred and three, was null and void, as constituting an agreement regarding a future succession, as modifying the agreement resulting from the said contract of mar-

riage, dated the 24th October, 1898, and as having for its object the setting aside of the substitution created by the said contract of marriage;

5. Whereas, in view of the suit between the said parties, doubts have arisen as to the following questions, namely:

1. Whether the said contract of marriage has created a valid substitution of the said immoveable Number eighty of the hypothecary cadastre of the parish of l'Ile Bizard, and that in view of the obligation to return which may extend not only to the party of the second part but also to his successors, whether substitutes or not in the said substitution; and in view also of the fact that the obligation to return might include the whole of the property given, and the property to be returned would not be defined in certain cases provided for in the said contract of marriage;

2. Whether the deed of the fourth of July, nineteen hundred and three, modifies the matrimonial agreement contained in the said contract of marriage and constitutes an agreement regarding a future succession.

Such declarations being made, the said parties, in order to end the suit between them and in the interest of the family of the parties, covenant as follows, to wit:

(a) The party of the second part sells, without warranty, to the party of the first part, the said immoveable Number eighty of the hypothecary cadastral plan of the parish of St. Raphaël de l'Ile Bizard, and further abandons to the party of the first part all rights of enjoyment and usufruct he may have in virtue of the said deeds in and to lot Number two hundred and forty-four of the hypothecary cadastre of the parish of Ste. Geneviève. The party of the second part shall however guarantee the hypothecs or other real rights he may have consented and which might affect the said immoveable Number eighty;

(b) The party of the first part, in consideration of the said sale, promises to pay to the party of the second part the sum of five thousand six hundred dollars in the course of the month of March next, provided the bill hereinafter mentioned be passed and adopted by both Houses before the third of March next. Such payment shall be secured by vendor's privileges, (*bailleur de fonds*), upon the said immoveable Number eighty of the hypothecary cadastre of the parish of St. Raphaël de l'Ile Bizard;

(c) The party of the first part shall apply to the Legislature of the Province of Quebec, at its next session, for the passing of an act to ratify and validate the present transaction;

(d) The costs occasioned by the passing of the said act shall be paid by the party of the first part, and the present transaction shall not have any effect unless the said act be passed;

(e) The party of the first part further undertakes to pay all

the costs of the plaintiff and defendant of the said suit, as well as those of the present deed;

(f) If the said act be not passed by both Houses before the third of March next, it shall be lawful for the party of the second part to cultivate the said land for the year then current and to keep the produce thereof.

In such case, the party of the first part shall not be bound to effect such payment of the said sum of five thousand six hundred dollars until the month of March of the following year, without interest.

It is further stipulated that the party of the second part shall not have the right to take any wood from the said land, except for his own personal use and solely for fuel, and in so doing shall cause no damage to the timber thereon;

(g) As soon as the said sum of five thousand six hundred dollars shall be paid, the party of the second part shall immediately replace the party of the first part in possession of the said immoveable;

(h) The party of the second part shall cultivate the said land as a careful owner, and shall perform all work of maintenance until he hands it over to the party of the first part;

(i) The municipal and school taxes shall be paid by the party of the second part until the delivery of the said lot, that is to say, that all taxes levied to that date shall be payable by the party of the second part; the same shall apply to the seigniorial rents;

(j) The party of the first part relieves the party of the second part of the obligation to pay him the sum of twenty thousand *livres*, old currency, under the deed of the fourth of July, nineteen hundred and three, and to effect the return stipulated by the contract of marriage dated the twenty-fourth of October, eighteen hundred and ninety-eight, in the event of renunciation to his succession;

(k) The immoveable Number eighty sold by the party of the second part to the party of the first part shall be relieved from the substitution which may result from the said contract of marriage, and the party of the second part may dispose of the sum of five thousand six hundred dollars as if the same belonged to him and without regard to any such substitution;

(l) The registration of the present deed shall effect the cancellation of the mortgage and other charges and real rights that may result from the said deeds of the twenty-fourth October, eighteen hundred and ninety-eight, and of the fourth July, nineteen hundred and three, and which may affect the said immoveable Number eighty in favor of the parties respectively.

And for the execution of these presents the parties elect domicile in their actual residence.

WHEREOF ACTE :

DONE AND PASSED, in the parish of Ste. Geneviève, in the study of the said notary, on the day and in the month and year aforesaid, under the number eight thousand three hundred and thirty-three of the minutes of the said notary.

These presents being duly read, the parties of the first part declared they could not sign, in the presence of Mr. A. Z. Libersan, notary, of the parish of Ste. Geneviève, legal witness, who signed with the party of the second part and with the said notary.

(Signed) A. Z. LIBERSAN,
 " MAGLOIRE ST. PIERRE,
 " J. A. CHAURET, Not. Pub.

True copy of the minute of the record remaining in my study.

J. A. CHAURET,
 Not. Pub.

CHAP. 110

An Act to ratify a deed of partition between the heirs of the estate of the late Félix Décarie

[Assented to 9th March, 1906]

Preamble.

WHEREAS Joseph Noel Décarie, advocate, Antoine Victor Décarie, merchant, Félix Joseph Victor Décarie, trader, Bernadette Décarie, wife of Alphonse Décarie, farmer, Apolline Décarie, spinster, all of the parish of Notre Dame de Grâces, district of Montreal; Marie Décarie, wife of Alexandre Prud'homme, notary, of the town of Notre Dame des Neiges, said district; the said Bernadette Décarie and Marie Décarie, duly authorized hereto by their husbands, and Dame Rose de Lima Hurtubise, of the said parish of Notre Dame de Grâces, widow of the late Félix Décarie, in his lifetime farmer and gardener of the same place, testamentary executrix of the estate of the late Félix Décarie, and tutrix to Ursule Décarie and Radegonde Décarie, her minor daughters, issue of the marriage of the said late Félix Décarie with the said Dame Rose de Lima Hurtubise, have by their petition represented:

That, by will made before Mtre. J. A. Brunet, notary, on the 24th July, 1899, the late Félix Décarie, in his lifetime farmer and gardener of the village of Notre Dame de Grâces West, husband of Dame Rose de Lima Hurtubise, one of the petitioners

above-mentioned, father and father-in-law of the other said petitioners, bequeathed the enjoyment and usufruct of all his property to the said Dame Rose de Lima Hurtubise and the ownership to his said children, Joseph Noel Décarie, Antoine Victor Décarie, Félix Joseph Victor Décarie, Bernadette Décarie, Marie Décarie, Apolline Décarie, Ursule Décarie and Radegonde Décarie;

That, moreover, the said Dame Rose de Lima Hurtubise was appointed testamentary executrix with powers beyond the year and day, and was authorized, during the usufruct, to sell the property of the estate provided the price derived therefrom should be reinvested in the name of their children;

That the said estate consists chiefly of a lot of land known as Number one hundred and eighty-nine of the official plan and book of reference of the parish of Montreal;

That the said immoveable is situated in the western limit of the town of Westmount;

That, by its situation and the continued spread and increase of the city of Montreal and its environs, the said immoveable is no longer suitable for cultivation as its value and the taxes thereon have become too great in proportion to what might be derived from it as a farm, and it should be immediately subdivided into building lots to be offered for sale, and the greatest possible profit be derived therefrom;

That it is in the interest of the said estate to take advantage at once of the flourishing condition of the real estate market and the great demand for property and building lots in that part of the island of Montreal;

That, moreover, according to the will of the said Félix Décarie, a part only of the said property can be sold by his usufructuary legatee, until all the heirs attain the age of majority;

That such restriction is no longer advantageous to the estate inasmuch as, since the said will was made, the condition of such property and its value on the market have completely altered;

That, moreover, some of the petitioners have hypothecated and even sold their undivided shares of the said property, subject to the right of redemption, and the said Dame Rose de Lima Hurtubise, their mother, has renounced the enjoyment of such shares, in order to secure the payment of such hypothecary obligations and sales;

That, under the circumstances, the other heirs, who are petitioners, are exposed to a suit in licitation and partition on the part of the creditors and purchasers, which would endanger their rights and claims in and to the said immoveable or would at least expose them to considerable loss;

That, under the circumstances, the heirs of the aforesaid property have made a partition of the said immoveable amongst

themselves, by deed before Mtre. Ernest R. Décary, notary, on the 16th January, 1906;

That, in order to facilitate such partition, the said Dame Rose de Lima Hurtubise, by deed passed previously on the 9th January, 1906, before the said Mtre. Ernest R. Decary, notary, renounced the usufruct and all other rights she may have in and to the immoveable above described;

That, moreover, the said deed of partition was also ratified by Ulysse Chopin, civil engineer, of the city of Montreal, who was the purchaser at the sale, subject to the right of redemption, of the shares of the petitioners, Antoine Victor Décarie and Félix J. V. Décarie, in and to the immoveable No. 189 of the official plan and book of reference of the parish of Montreal, and he has consented that all the rights accruing to him in virtue of the deed of sale aforesaid, shall affect only lots that have devolved to the said Antoine V. Décarie and Félix J. V. Décarie under the said partition;

That, at a meeting of the relatives of Ursule Décarie and Radegonde Décarie, two of the heirs of the late Félix Décarie, who are still minors, they approved of the said deed of partition aforesaid, and gave their opinion that it was in the interest of the said minors;

Whereas the said petitioners have proved the allegations of their petition, and it is expedient to grant their prayer;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

Certain property vested in certain persons absolutely and certain deed of 16th January, 1906, ratified.

1. Notwithstanding all the clauses to the contrary contained in the will of the late Félix Décarie, in his lifetime farmer and gardener of the parish of Notre Dame de Grâces, made on the 24th July, 1899, before Mtre. Joseph Alphonse Brunet and colleague, notaries, the deed of partition made before Mtre. Ernest R. Décary, notary, on the 16th January, 1906, between Joseph Noel Décarie, advocate, Antoine Victor Décarie, merchant, Félix Joseph Victor Décarie, trader, Bernadette Décarie, wife of Alphonse Décarie, farmer, all of the parish of Notre Dame de Grâces, Marie Décarie, wife of Alexandre Prud'homme, notary, of the town of Notre Dame des Neiges, Apolline Décarie, spinster, of the parish of Notre Dame de Grâces, all acting in their own names, the said Bernadette Décarie and Marie Decarie, duly authorized by their husbands and Dame Rose de Lima Hurtubise, of the said parish of Notre Dame de Grâces, widow of the late Félix Décarie, in his lifetime farmer of the same place, herein acting in her capacity of tutrix duly appointed to Ursule Décarie and Radegonde Décarie, both minor daughters, issue of the marriage of the said late Félix Décarie with the said Dame Hurtubise, by which they divide

among themselves the immoveable bearing the number 189 of the official plan and book of reference of the parish of Montreal, a copy whereof is reproduced in schedule B to this act, is ratified, confirmed and declared valid and binding, and the said Joseph Noel Décarie, Antoine Victor Décarie, Félix Joseph Victor Décarie, Bernadette Décarie, Marie Décarie, Apolline Décarie, Ursule Décarie, and Radegonde Décarie, shall in future be vested with all the rights of ownership conferred upon them by the will of their late father as regards the lots and portions of the said immoveable respectively allotted to them in the aforesaid partition; they may dispose of the same from the day of the sanction of this act, absolutely, by deed *inter vivos* or otherwise; may sell the same, receive the price thereof and give valid acquittance therefor, in a word they shall be absolute owners thereof.

2. The deed of renunciation of the enjoyment and usufruct of the property belonging to the succession of the said late Félix Décarie, under certain conditions therein stipulated by Dame Rose de Lima Hurtubise in favor of the heirs of the said succession, which was passed before Mtre. Ernest R. Décary, notary, on the ninth day of the month of January, 1906, a copy whereof is also reproduced in schedule A to this act, is ratified, confirmed and declared valid and binding amongst all the parties thereto, and even as concerns the minor heirs in the succession of the said late Félix Décarie.

Deed of renunciation of 9th Jan., 1906, ratified.

3. The hypothecs effected and actually existing on the said immoveable No. 189 of the official plan and book of reference of the parish of Montreal, by and against the heirs of the said estate of Félix Décarie, shall be restricted to the lots given by the said partition to each of the said heirs who have consented to such obligations, with the exception of the lots reserved as streets, which shall be clear and free from all obligations whatsoever, from the date of the passing of this act.

Certain hypothecs to affect certain lots.

4. This act shall come into force on the day of its sanction.

Coming into force.

SCHEDULE A

In the year one thousand nine hundred and six, on the ninth day of the month of January

BEFORE M^{RE}. ERNEST R. DÉCARY, the undersigned notary, duly admitted for the Province of Quebec, residing and practising in the city and district of Montreal,

CAME AND APPEARED:

JOSEPH NOEL DÉCARIE, advocate, ANTOINE VICTOR DÉCARIE, merchant, FELIX JOSEPH VICTOR DÉCARIE, trader, BERNADETTE DÉCARIE, wife of Alphonse Décarie, farmer, all of the parish of Notre Dame de Grâce, MARIE DÉCARIE, wife of Alexandre Eustache Prud'homme, notary, of the town of Notre Dame des Neiges, APOLLINE DÉCARIE, spinster, of the said parish of Notre Dame de Grâce, the said BERNADETTE DÉCARIE and MARIE DÉCARIE duly authorized by their husbands to the effect hereof and hereunto present.

of the one part;

AND

MADAME ROSE DE LIMA HURTUBISE, residing in the said parish of Notre Dame de Grâce, widow of the late Félix Décarie, in his lifetime farmer, of the said parish,

of the other part.

Which parties have declared to us:

That the parties of the first part intend to apply to the provincial Legislature at its next session to obtain the passing of an act authorizing the succession of the said late Félix Décarie to divide the property belonging thereto, and in order to facilitate the passing of the said act, the said Dame Hurtubise wishes to renounce the enjoyment and usufruct granted her upon such property in virtue of the terms of the will of the said late Félix Décarie, made before M^{re}. J. A. Brunet, notary, on the twenty-fourth July, one thousand eight hundred and ninety-nine.

In consequence, these presents and the undersigned notary witness:

That the said Dame Hurtubise renounces by these presents the usufruct and all other rights she may have in and to the succession of the said late Félix Décarie, under the terms of the will

of the latter, aforesaid, and in favor of her eight children, issue of her marriage with the said late Félix Décarie, to wit between the parties of the first part and Ursule and Radégonde Décarie, both minors.

In consideration of such renouncing, each of the said children shall be bound and binds himself or herself by these presents to pay to the said Dame Hurtubise, their mother, an annual life rent of one hundred and fifty dollars each, for three years, making a total amount of twelve hundred dollars, at the end of such term, such rent shall be one hundred and eighty-seven dollars and fifty cents per annum, forming a total amount of fifteen hundred dollars for a term of three other years and, from and after such date until the death of the said Dame Hurtubise, they shall continue to pay such rent at the rate of two hundred and twenty-five dollars each per annum, making a total annual amount of eighteen hundred dollars, such rent shall be payable half-yearly and in advance, from and after the sanction of the said act.

In the event of the Legislature at its next session not granting the parties of the first part an act authorizing the immediate partition of the property composing the succession of the said late Félix Décarie and guaranteeing by hypothec on lot number one hundred and eighty-nine of the cadastral plan of the parish of Montreal belonging to the said succession, the payment of the aforesaid pension, including the payment of the proportion of the minors of such rent, these presents shall become *de jure* null and void, and the said Dame Hurtubise shall continue her enjoyment as if these presents had never been consented to; such enjoyment shall have force and effect only from and after the date of the sanction of such act of the provincial Legislature in the event of the said provincial Legislature deeming it advisable to grant the same.

The said Dame Hurtubise, nevertheless, expressly reserves during her life the enjoyment and usufruct of the house she occupies at present, as well as of the lot one hundred feet in width, by one hundred feet in depth on which the said house is erected, such ground forming part of said lot number one hundred and eighty-nine, together with its present furniture.

WHEREOF ACTE:

DONE AND PASSED, in the said city of Montreal, under the number two thousand nine hundred and twenty.

And these presents duly read, the parties have signed with the said notary, with the exception of Dame Délima Hurtubise, who declared she could not sign when thereunto requested, but made her usual mark of a cross in the presence of Miss Marie Louise

Rivest, spinster, of Montreal, the witness called upon and who signed with the said notary.

(Signed) J. N. DÉCARIE,
“ ANTOINE DÉCARIE,
“ FELIX J. V. DÉCARIE,
“ BERNADETTE DÉCARIE,
“ ALPH. E. DÉCARIE,
“ MARIE DÉCARIE,
“ A. E. PRUD'HOMME,
“ APOLLINE DÉCARIE,
“ DELIMA ^{her} X HURTUBISE,
mark
“ MARIE LOUISE RIVEST,
“ E. R. DÉCARY, Notary.

True copy of the minutes of these presents remain of record in my office.

E. R. DÉCARY, Notary.

SCHEDULE B

In the year one thousand nine hundred and six, on the sixteenth day of the month of January

BEFORE M^{RE}. ERNEST R. DÉCARY, the undersigned notary, duly admitted for the Province of Quebec, residing and practising in the city and district of Montreal,

CAME AND APPEARED:

JOSEPH NOEL DÉCARIE, advocate, ANTOINE VICTOR DÉCARIE, merchant, FELIX JOSEPH VICTOR DÉCARIE, trader, BERNADETTE DÉCARIE, wife of Alphonse Décarie, farmer, all of

the parish of Notre Dame de Grâces, MARIE DÉCARIE, wife of Alexandre Prud'homme, notary, of the town of Notre Dame des Neiges, APOLLINE DÉCARIE, spinster, of the parish of Notre Dame de Grâces, all acting in their own names, the said Bernadette Décarie and Marie Décarie, duly authorized hereto by their husbands to the effect hereto and DAME ROSE DE LIMA HURTUBISE, of the said parish of Notre Dame de Grâces, widow of the late Félix Décarie, in his lifetime, farmer, of the same place, acting herein in her quality of tutrix, duly appointed to Ursule Décarie and Radegonde Décarie, both minor daughters, issue of the marriage of the said late Félix Décarie with the said Dame Hurtubise,

Who declared:

That, by and in virtue of the will of the said late Félix Décarie, made before J. A. Brunet, notary, on the twenty-fourth of July, one thousand eight hundred and ninety-nine, and duly registered in the registry office for the counties of Hochelaga and Jacques-Cartier, the said late Félix Décarie bequeathed the enjoyment and usufruct of all his property to the said Rose de Lima Hurtubise, during her lifetime and so long as she remains a widow, and the ownership thereof he bequeathed to his children above-mentioned;

That, under the terms of the said will, the said Dame Hurtubise in her capacity as testamentary executrix was authorized to sell such property, provided the price derived therefrom be invested for and in the name of the succession of the said late Félix Décarie;

That, amongst the property forming part of the succession of the late Félix Décarie, is the immoveable known as number one hundred and eighty-nine (189), of the cadastral plan and book of reference of the municipality of the parish of Montreal;

That inasmuch as such immoveable, by its situation, is destined to be subdivided into building lots, it is to the advantage of the heirs of the said late Félix Décarie and even necessary for the purpose of effecting the sale of the said immoveable, that it be divided amongst the parties hereto;

That, in order to facilitate the partition, the said Dame Hurtubise renounced her enjoyment and usufruct in and to such immoveable, by deed of renunciation of enjoyment passed before the undersigned notary on the ninth day of January instant;

That the said parties have applied to the provincial Legislature to permit and ratify such partition;

Wherefore such parties have decided amongst themselves the partition of the said immoveable, and to that end have made up lots in the following manner:

Rivest, spinster, of Montreal, the witness called upon and who signed with the said notary.

(Signed) J. N. DÉCARIE,
" ANTOINE DÉCARIE,
" FELIX J. V. DÉCARIE,
" BERNADETTE DÉCARIE,
" ALPH. E. DÉCARIE,
" MARIE DÉCARIE,
" A. E. PRUD'HOMME,
" APOLLINE DÉCARIE,
" ^{her}
DELIMA X HURTUBISE,
mark
" MARIE LOUISE RIVEST,
" E. R. DÉCARY, Notary.

True copy of the minutes of these presents remain of record in my office.

E. R. DÉCARY, Notary.

SCHEDULE B

In the year one thousand nine hundred and six, on the sixteenth day of the month of January

BEFORE MTRE. ERNEST R. DÉCARY, the undersigned notary, duly admitted for the Province of Quebec, residing and practising in the city and district of Montreal,

CAME AND APPEARED:

JOSEPH NOEL DÉCARIE, advocate, ANTOINE VICTOR DÉCARIE, merchant, FELIX JOSEPH VICTOR DÉCARIE, trader, BERNADETTE DÉCARIE, wife of Alphonse Décarie, farmer, all of

the parish of Notre Dame de Grâces, MARIE DÉCARIE, wife of Alexandre Prud'homme, notary, of the town of Notre Dame des Neiges, APOLLINE DÉCARIE, spinster, of the parish of Notre Dame de Grâces, all acting in their own names, the said Bernadette Décarie and Marie Décarie, duly authorized hereto by their husbands to the effect hereto and DAME ROSE DE LIMA HURTUBISE, of the said parish of Notre Dame de Grâces, widow of the late Félix Décarie, in his lifetime, farmer, of the same place, acting herein in her quality of tutrix, duly appointed to Ursule Décarie and Radegonde Décarie, both minor daughters, issue of the marriage of the said late Félix Décarie with the said Dame Hurtubise,

Who declared:

That, by and in virtue of the will of the said late Félix Décarie, made before J. A. Brunet, notary, on the twenty-fourth of July, one thousand eight hundred and ninety-nine, and duly registered in the registry office for the counties of Hochelaga and Jacques-Cartier, the said late Félix Décarie bequeathed the enjoyment and usufruct of all his property to the said Rose de Lima Hurtubise, during her lifetime and so long as she remains a widow, and the ownership thereof he bequeathed to his children above-mentioned;

That, under the terms of the said will, the said Dame Hurtubise in her capacity as testamentary executrix was authorized to sell such property, provided the price derived therefrom be invested for and in the name of the succession of the said late Félix Décarie;

That, amongst the property forming part of the succession of the late Félix Décarie, is the immoveable known as number one hundred and eighty-nine (189), of the cadastral plan and book of reference of the municipality of the parish of Montreal;

That inasmuch as such immoveable, by its situation, is destined to be subdivided into building lots, it is to the advantage of the heirs of the said late Félix Décarie and even necessary for the purpose of effecting the sale of the said immoveable, that it be divided amongst the parties hereto;

That, in order to facilitate the partition, the said Dame Hurtubise renounced her enjoyment and usufruct in and to such immoveable, by deed of renunciation of enjoyment passed before the undersigned notary on the ninth day of January instant;

That the said parties have applied to the provincial Legislature to permit and ratify such partition;

Wherefore such parties have decided amongst themselves the partition of the said immoveable, and to that end have made up lots in the following manner:

First lot.—The first lot shall consist of the subdivisions two hundred and forty-eight, two hundred and forty-nine, two hundred and six, two hundred and seven, two hundred and twenty, two hundred and twenty-one, one hundred and ninety, one hundred and ninety-one, one hundred and fifty-seven, one hundred and fifty-eight, one hundred and fifty-nine, one hundred and sixty, two hundred and sixty-one, two hundred and sixty-two, two hundred and seventy-seven, two hundred and seventy-eight, two hundred and fifty-eight, two hundred and fifty-nine, two hundred and sixty, one hundred and fourteen, one hundred and seventy-five, fifty-four, fifty-three, seventy, seventy-five, seventy-six, one hundred and twenty-one, one hundred and twenty-two, one hundred and four, one hundred and three and sixty-five, the undivided half of lot number thirty-eight and the undivided eighth of lots one hundred and thirty-three, one hundred and thirty-four, two hundred and fifty-five, and two hundred and fifty-six, as indicated on plan of said lot one hundred and eighty-nine, prepared by F. C. Laberge, sworn land surveyor on the nineteenth day of May last, (1905), a copy of which plan remains annexed hereto, having been signed *ne varietur* by the parties and the notary.

Second lot.—The second lot consists of the subdivisions two hundred and fourteen, two hundred and fifteen, two hundred and forty-six, two hundred and forty-seven, two hundred and eighteen, two hundred and nineteen, one hundred and five, one hundred and six, one hundred and eighty-eight, one hundred and eighty-nine, one hundred and fifty-five, one hundred and fifty-six, one hundred and sixty-one, one hundred and sixty-two, two hundred and sixty-three, two hundred and sixty-four, two hundred and seventy-nine, two hundred and eighty, one hundred and thirty-seven, one hundred and thirty-eight, one hundred and thirty-nine, sixty-six, one hundred and seventy-six, fifty-one, fifty-two, eighty-three, eighty-four, ninety, one hundred and nineteen, one hundred and twenty, sixty-four, the undivided half of lot thirty-eight and the undivided eighth of lots one hundred and thirty-three, one hundred and thirty-four, two hundred and fifty-five, and two hundred and fifty-six, indicated on the said plan of the said lot one hundred and eighty-nine.

Third lot.—The third lot consists of subdivisions two hundred and forty-four, two hundred and forty-five, two hundred and twelve, two hundred and thirteen, two hundred and twenty-two, two hundred and twenty-three, one hundred and eighty-six, one hundred and eighty-seven, one hundred and fifty-three, one hundred and fifty-four, one hundred and sixty-three, one hundred and sixty-four, two hundred and sixty-five, two hundred and seventy, two hundred and eighty-one, two hundred and eighty-two, one hundred and eleven, one hundred and twelve, one hundred and ten, sixty-one, two hundred and

fifty-two, fifty, forty-nine, eighty-one, eighty-two, one hundred and one, one hundred and two, one hundred and seventeen, one hundred and eighteen, sixty-nine, sixty-three, the undivided half of lot thirty-seven and the undivided eighth of lots one hundred and thirty-three, one hundred and thirty-four, two hundred and fifty-five, and two hundred and fifty-six, as indicated on the said plan of lot one hundred and eighty-nine.

Fourth lot.—The fourth lot consists of subdivisions two hundred and forty-two, two hundred and forty-three, two hundred and ten, two hundred and eleven, two hundred and twenty-four, two hundred and twenty-five, one hundred and ninety-two, one hundred and ninety-three, one hundred and fifty-one, one hundred and fifty-two, one hundred and sixty-five, one hundred and sixty-six, two hundred and ninety-two, two hundred and sixty-eight, two hundred and eighty-three, two hundred and eighty-four, one hundred and eighty-four, one hundred and eighty-five, one hundred and eighty-three, thirty-four, two hundred and fifty-four, forty-eight, forty-seven, seventy-nine, eighty, ninety-nine, one hundred, eighty-nine, one hundred and twenty-three, one hundred and twenty-four, sixty-two, the undivided half of lot thirty-seven, and the undivided eighth of lots one hundred and thirty-three, one hundred and thirty-four, two hundred and fifty-five and two hundred and fifty-six, as indicated on the said subdivision plan of lot one hundred and eighty-nine.

Fifth lot.—The fifth lot consists of subdivisions two hundred and forty, two hundred and forty-one, two hundred and eight, two hundred and nine, two hundred and twenty-six, two hundred and twenty-seven, one hundred and ninety-four, one hundred and ninety-five, one hundred and forty-nine, one hundred and fifty, one hundred and sixty-seven, one hundred and sixty-eight, two hundred and fifty, eighty-seven, two hundred and seventy, two hundred and eighty-five, two hundred and eighty-six, one hundred and seven, one hundred and eight, one hundred and nine, two hundred and ninety-three, two hundred and ninety-four, forty-six, forty-five, seventy-seven, seventy-eight, ninety-seven, ninety-eight, one hundred and twenty-five, one hundred and twenty-six, one hundred and hundred and eighty-two, the undivided half of lot thirty-six and the undivided eighth of lots one hundred and thirty-three, one hundred and thirty-four, two hundred and fifty-five, and two hundred and fifty-six, as indicated on the said subdivision plan of lot one hundred and eighty-nine.

Sixth lot.—The sixth lot consists of subdivisions two hundred and thirty-nine, two hundred and thirty-eight, two hundred and sixteen, two hundred and seventeen, eighty-five, eighty-six, two hundred and twenty-eight, two hundred and twenty-nine, one hundred and ninety-six, one hundred and ninety-seven, one hun-

dred and forty-seven, one hundred and forty-eight, one hundred and sixty-nine, one hundred and seventy, two hundred and seventy-one, two hundred and seventy-two, two hundred and eighty-seven, two hundred and eighty-eight, one hundred and seventy-nine, one hundred and eighty, one hundred and eighty-one, two hundred and fifty-one, one hundred and sixteen, forty-four, forty-three, ninety five, ninety-six, eighty-eight, one hundred and twenty-seven, one hundred and twenty-eight, fifty-six, the undivided half of lot thirty-six, and the undivided eighth of lots one hundred and thirty-three, one hundred and thirty-four, two hundred and fifty-five, and two hundred and fifty-six, as indicated on the said subdivision plan of lot one hundred and eighty-nine.

Seventh lot.—The seventh lot consists of subdivisions two hundred and thirty-seven, two hundred and thirty-six, two hundred and four, two hundred and five, two hundred and thirty, two hundred and thirty-one, one hundred and ninety-eight, one hundred and ninety-nine, one hundred and forty-five, one hundred and forty-six, one hundred and seventy-three, one hundred and seventy-four, fifty-seven, two hundred and seventy-three, two hundred and seventy-four, two hundred and eighty-nine, two hundred and ninety-one, fifty-eight, fifty-nine, one hundred and seventy-seven, one hundred and fifteen, forty-two, forty-one, seventy-three, seventy-four, ninety-three, ninety-four, sixty-seven, one hundred and twenty-nine, one hundred and thirty, fifty-five, the undivided half of lot thirty-five, and the undivided eighth of lots one hundred and thirty-three, one hundred and thirty-four, two hundred and fifty-five, and two hundred and fifty-six, as indicated on the said subdivision plan of lot number one hundred and eighty-nine.

Eighth lot.—The eighth lot consists of subdivisions two hundred and thirty-four, two hundred and thirty-five, two hundred and two, two hundred and three, two hundred and thirty-two, two hundred and thirty-three, two hundred, two hundred and one, one hundred and forty-four, one hundred and forty-three, two hundred and seventy-five, two hundred and seventy-six, one hundred and forty-one, one hundred and forty-two, one hundred and forty, two hundred and ninety, two hundred and fifty-three, forty, thirty-nine, seventy-one, seventy-two, ninety-one, ninety-two, one hundred and seventy-one, one hundred and seventy-two, two hundred and sixty-seven, two hundred and sixty-nine, sixty-eight, one hundred and thirty-one, one hundred and thirty-two, one hundred and thirty-six, one hundred and thirty-five, the undivided half of lot number thirty-five and the undivided eighth of lots one hundred and thirty-three, one hundred and thirty-four, two hundred and fifty-five, and two hundred and fifty-six, as indicated on the said subdivision plan of lot number one hundred and eighty-nine.

CHARGES AND CONDITIONS

The present partition is made subject to the following charges and conditions:

1. The co-partitioners shall take the property allotted them by drawing lots in their present condition.

2. They shall separately pay the taxes and assessments of all kinds from the day of the ratification of these presents by the provincial Legislature.

3. The streets shown on said subdivision plan and designated under the numbers thirty-one, sixty, one hundred and thirteen, one hundred and seventy-eight, and two hundred and fifty-seven shall belong undividedly to the co-partitioners until they are transferred to the municipality, and shall remain open for the use of all the lots of the subdivision shown on the said plan.

4. The co-partitioners, their assigns and representatives shall build on the lots respectively allotted to them, except at a distance of fifteen feet from the streets, and all the houses so erected shall be two stories high, of stone or solid brick and the streets shall be macadamized on a width of twenty-six feet, the remainder of each side shall be in turf, and they shall build neither hotels, flat or apartment houses, convents or colleges thereon.

5. The streets indicated on such portion of the said lot one hundred and eighty-nine, extending from Sherbrooke street to Côte St. Antoine shall be opened only at the request of the majority of the co-partitioners; all the streets shall be kept at common expense between the co-partitioners, until they are transferred to the municipality.

COMPENSATION

Owing to the lots being equal, the present partition is made without compensation.

DRAWING OF LOTS

The lots being so made up, the parties wrote on eight pieces of paper, of similar shape, the words: first lot, second lot, third lot, fourth lot, fifth lot, sixth lot, seventh lot and eighth lot. These papers, being folded up in the same manner, were placed in a hat by the undersigned notary, and Radegonde Décarie, one of the co-partitioners, with their consent drew from the hat each of such papers, and handed one to each of the co-partitioners.

By means of such drawing of lots, the first lot fell to the said Radegonde Décarie, the second to the said Marie Décarie, the third to the said Bernadette Décarie, the fourth to the said An-

toine Victor Décarie, the fifth to the said Joseph Noel Décarie, the sixth to the said Félix Joseph Victor Décarie, the seventh to the said Apolline Décarie, and the eighth to the said Ursule Décarie.

ABANDONMENT

The parties acquiescing in such drawing of lots, mutually abandoned the lot falling to each of them under the usual warranty between co-partitioners, which they respectively accept, and they shall be the owners and shall enjoy separately the immoveable allotted to each of them, and shall pay all charges thereon from and after this day.

With regard to lots thirty-two and thirty-three of the said subdivision plan of lot one hundred and eighty-nine, they shall remain the undivided property of the said Bernadette Décarie, Apolline Décarie, Marie Décarie, Ursule Décarie and Rade-gonde Décarie, including the buildings thereon erected in payment of the sum of two thousand dollars, which the latter were authorized to take in the succession of the said late Félix Décarie, in order to place them on the same footing as the said J. N. Décarie, A. V. Décarie, F. J. V. Décarie, who had received from the said late Félix Décarie in his lifetime, each an equal sum of two thousand dollars; the said J. N. Décarie, A. V. Décarie and F. J. V. Décarie transferring to the said Bernadette Décarie, Marie Décarie, Apolline Décarie, Ursule Décarie and Rade-gonde Décarie, accepting as aforesaid, all their rights in and to the said two lots of land and the buildings thereon erected in order to make them equal in the partition of the said succession.

And, by these same presents, the parties hypothecate in favor of the said Dame De Lima Hurtubise, hereof accepting, the lots allotted to them by the present partition, each to their respective share in the life rent they have undertaken to pay to the said Dame Rose de Lima Hurtubise, during her lifetime under the terms of the deed of renunciation of enjoyment hereinabove firstly cited.

Moreover, the co-partitioners whose rights in and to the said lot one hundred and eighty-nine have been hypothecated, undertake, within the thirty days following the ratification of the present partition by the provincial Legislature, to remove and have such hypothecs as may then and there exist upon their respective shares, cancelled, as regards the lots allotted to the other co-partitioners.

TO THESE PRESENTS INTERVENED:

ULYSSE CHOPIN, civil engineer, residing in the city of Montreal, the purchaser named and described in a certain deed of sale, with right of redemption, consented in his favor as regards their shares in the said lot one hundred and eighty-nine, by the

said Antoine V. Décarie and Félix J. V. Décarie, by deed of sale with right of redemption, passed before Beaudoin, notary, on the twenty-fourth of July last (1905), duly registered in the registry office for the counties of Hochelaga and Jacques-Cartier;

Who, after having taken communication of these presents, approves the same and all they contain and consents that the rights accruing to him in the deed of sale aforesaid shall affect only the lots given to the said Antoine V. Décarie and Félix J. V. Décarie under the present partition.

WHEREOF ACTE:

DONE AND PASSED, at Montreal aforesaid, under the number two thousand nine hundred and thirty-five.

And these presents being duly read, the parties have signed with the said notary, with the exception of the said Dame Rose de Lima Hurtubise, who declared she could not sign when thereunto requested, but made her usual mark, a cross, in the presence of Octave Savage, farm labourer, residing at the said place Coteau St. Pierre, who also signed with the said notary.

(Signed) JOS NOEL DÉCARIE,
 " ANTOINE DÉCARIE,
 " FELIX J. V. DÉCARIE,
 " BERNADETTE DÉCARIE,
 " ALPH. E. DÉCARIE,
 " MARIE DECARIE,
 " A. E. PRUD'HOMME,
 " APOLLINE DECARIE,
 " ^{her}
 " DELIMA X HURTUBISE,
 " ^{mark}
 " OCTAVE SAVAGE,
 " ULY. LS. CHOPIN,
 " E. R. DÉCARY, Notary.

A true copy of the original of these presents remaining of record in my office.

E. R. DÉCARY, Notary.

CHAP. 111

An Act to explain a donation clause in a contract of marriage between Joseph Dion and Marguerite Filion and to provide for a practical application of such clause

[Assented to 9th March, 1906]

Preamble.

WHEREAS, by his petition, Joseph Dion, farmer, of the parish of Ste. Thérèse de Blainville, district of Terrebonne, has represented:

That, in his marriage contract with Miss Marguerite Filion, passed the 9th August, 1880, before E. Germain, notary public, is the following clause:

"In consideration of the said future marriage, the said Dame Marguerite Desjardins gives to the said future husband, her grandson, thereof accepting, a lot of land situate in the said parish of Ste. Thérèse de Blainville, containing sixty-one arpents in superficies, between the land of Grégoire Filiatrault and that of Frédéric Labelle, the said lot being No. 158 of the official plan and book of reference of the cadastre of the said parish of Ste. Thérèse de Blainville, the said donor reserving the enjoyment and usufruct of the said land during her lifetime until her death. This gift is subject to the obligation upon the donee, who remains bound thereto, to return the said immoveable given, after his death, to his children to be born of the future marriage to the third degree, which children the donor substitutes to the donee for the purpose of receiving the said immoveable."

That the value of the said land is scarcely much more than one thousand dollars, including the buildings thereon, which are old and require to be practically renewed, requiring repairs greater than the value of the land;

That all the parties now interested consent to this act;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

J. Dion declared to be owner of certain property.

1. Joseph Dion, farmer, of the parish of Ste. Thérèse de Blainville, district of Terrebonne, is hereby declared to be the incommutable owner "of a lot of land situate in the said parish of Ste. Thérèse de Blainville, containing sixty-one arpents in superficies, between the farm of Grégoire Filiatrault and that of Frédéric Labelle, the said lot bearing the number No. 158 of the official plan and book of reference of the cadastre of the said parish of Ste. Thérèse de Blainville," which was given him by Dame Marguerite Desjardins in his contract of marriage dated

the 9th August, 1880, and registered under the No. 26382 of the registry office of the county of Terrebonne, copy whereof is hereto annexed as a schedule.

2. The clause in the said marriage contract restricting the ownership of the said Joseph Dion and obliging him to return the immoveable given him, after his death, to the children to be born of his future marriage, to the third degree, is cancelled and considered as having never formed part thereof, to all intents and purposes.

Certain
clause in
marriage
contract
struck.

3. This act shall come into force on the day of its sanction.

Coming into
force.

SCHEDULE

BEFORE E. GERMAIN, the undersigned notary public for the Province of Quebec, residing at Ste. Thérèse de Blainville, district of Terrebonne, appeared:

MR. JOSEPH DION, farmer, residing in the said parish of Ste. Thérèse de Blainville, son of age of Mr. Pierre Dion, farmer, of the said parish, and of Dame Victoire Desjardins, his wife, Mr. Joseph Dion stipulating for himself and in his own name,

of the one part;

MISS MARGUERITE FILION, residing at Ste. Thérèse de Blainville, aforesaid, with her father and mother hereinafter mentioned, daughter of age of Mr. Léon Filion, farmer, and of Dame Marguerite Ouimet, his wife, living together in the said parish of Ste. Thérèse de Blainville, Miss Marguerite Filion acting for herself and in her own name,

of the other part;

MR. PIERRE DION, whose surname, quality and residence are given above, acting herein on account of the gift he will hereinafter make to the future husband,

Also of the other part;

MR. and MRS. FILION above mentioned, acting herein on account of the gift they will hereinafter make to the future wife, their daughter,

Also of the other part;

DAME MARGUERITE DESJARDINS, residing in the said parish of Ste. Thérèse de Blainville, wife separated as to property of Mr. Honoré Brisebois and by him duly authorized, acting herein on account of the donation she will hereinafter make to the said Joseph Dion, her grandson,

Also of the other part.

All the parties aforesaid have stipulated the clauses and conditions of the civil marriage proposed and agreed to between Mr. Joseph Dion and Miss Marguerite Filion.

The future consorts declare that there shall be no community of property between them.

There shall be no dower, either customary or conventional.

The future husband brings to the marriage his clothes, linen and the moveables to be hereinafter given to him.

In consideration of the future marriage, the said Pierre Dion gives the future husband, thereof accepting, the following, to wit: two horses, a plough, a harrow, a hay-cart with wheels, a cow, a heifer, an ewe with her lamb, a light cart with wheels, two yearling pigs; the whole to be delivered as required.

In consideration of the said future marriage, the said Dame Marguerite Desjardins gives the future husband, her grandson, thereof accepting, a lot of land situate in the said parish of Ste. Thérèse de Blainville, containing sixty-one arpents in superficies, between the farm of Grégoire Filiatrault and that of Frédéric Labelle, the said lot being No. 158 of the official plan and book of reference of the cadastre of the said parish of Ste. Thérèse de Blainville, the donor reserving the enjoyment and usufruct of the said lot during her lifetime until her death.

This gift is subject to the obligation upon the donee, who remains bound thereto, to return the said immoveable, after his death, to his children to be born of the future marriage to the third degree, which children the donor substitutes to the donee for the purpose of receiving the said immoveable.

In consideration of the said future marriage, the said Léon Filion and his wife give the said future wife, thereof accepting:

1. A sum of two thousand francs, old currency, payable in yearly payments of two hundred francs old currency, the first whereof shall become due in two years from the 29th September next.

2. The following moveables, to wit: a heifer three years old, a cow, four ewes, two feather beds with bedstead, blankets, sheets and counterpanes, a loom complete, twelve hens, twelve earthen pans, a kettle, a strainer, two spinning wheels, six cups, six saucers, six plates, six knives, six forks, six spoons, a table, a kneading-trough, a meat-safe, a linen press, a tub, two smoothing irons, a small pot, a saucepan, a frying pan, a wooden bucket, six chairs, the whole to be handed over when the future consorts shall go and live on the farm above given and specified.

Also in consideration of the said future marriage, the said Dame Marguerite Desjardins and the said Joseph Dion, the future husband, give the future wife, thereof accepting, in the

event only of her surviving her said future husband and not marrying again, the following annual life-rent, to wit: ten bushels of wheat deliverable one-half in December and one-half in May; one hundred and fifty pounds of pork at Christmas; ten pounds of wool in the spring; one pound of tea as needed; six pounds of sugar at sugar-making time in the spring; eight pounds of soap as needed; two gallons of coal oil as needed; half a bushel of peas in the autumn; four pounds of rice as needed; four bushels of potatoes in the autumn; six dozen of eggs on demand in spring and autumn; six fat chickens in autumn; six pounds of beef at Christmas; the use of a room heated by a stove in the room, and the necessary fire-wood for cooking with the said stove; a cow to be delivered in May, taken back in the autumn, replaced by another in case of death, old age or sterility, to be wintered and pastured on the said farm; to pay the doctor, provided the account does not exceed two dollars per annum. To fetch the doctor and priest in case of illness and take them home.

The possessors or usufructuaries of the said lot of land shall be bound to take care of the said future wife and to keep her supplied with shoes for week days and Sundays. The said future wife shall have the right to go and come on the said land; she shall have the use of a plot in the kitchen-garden, and a place in the stable for the horses of the persons who may visit her. The said rent shall begin to run from the death of the said future husband, during the life of the said future wife until she dies or marries again.

In the event of the death of the said future wife, the usufructuaries or owners of the said land shall have her buried with a funeral service to cost five dollars.

As security for the said rent, the said Dame Marguerite Desjardins and the said future husband have hypothecated the land above given to the amount of eight hundred dollars currency.

It is agreed between the parties that the two thousand francs, old currency, given to the said future wife by her father and mother, shall be repaid, in default of children issue of the future marriage, to her heirs in yearly payments of two hundred francs old currency without interest.

Such are the covenants between the parties stipulated in the presence of the above mentioned relatives of the future consorts.

WHEREOF ACTE:

DONE AND PASSED, under the number twelve hundred and eighty-five, at Ste. Thérèse de Blainville, in the said district and study, in the year one thousand eight hundred and eighty, on the ninth August, at seven o'clock in the forenoon.

And the said parties have signed with us the said notary, with the exception of the said Dame Marguerite Desjardins,

Pierre Dion, Léon Dion, and his wife, who declared they could not sign when thereunto requested, these presents duly read.

(Signed) MARGUERITE FILION,

“ JOSEPH DION,

“ E. GERMAIN, N. P.

True copy of the original of these presents remaining in the study of the undersigned notary.

E. GERMAIN, N. P.

CHAP. 112

An Act respecting the succession of the late Simon Lacombe

[Assented to 9th March, 1906]

Preamble.

WHEREAS Miss Emélie Lacombe, Miss Marie Lacombe, both spinsters, of the village of Notre Dame des Neiges West, in the district of Montreal; Dame Elizabeth Lacombe, of the same place, wife separated as to property of Arthur Yale, burgess, of the same place, and the latter to authorize his wife for the purposes of this act; the Honorable Napoléon Charbonneau, judge of the Superior Court of the district of Richelieu, residing at Sorel, in the said district, acting in his quality of tutor to Miss Emilienne Charbonneau, his minor daughter, issue of his marriage with the late Mathilde Lacombe, and François Desmarchais, burgess, of the same place, acting herein in his capacity of curator duly appointed to the substitution created by the will of the late Simon Lacombe, have by their petition represented:

That the late Simon Lacombe made his solemn will before Mtre. A. Lecours, notary, at St. Laurent, near Montreal, on the 21st May, 1879, which will was registered on the 8th January, 1881;

That, by such will, all the property belonging to the community of property which existed between the deceased and Dame Emélie Durand *dit* Desmarchais, his wife, was to form but one mass, which said special provision the said Dame Emélie Durand *dit* Desmarchais, the survivor, accepted after her husband's death;

That all the property of the deceased, including that of the said community of property, was at first bequeathed to the said Dame Emélie Durand *dit* Desmarchais, “ to be by her

enjoyed in usufruct during her lifetime only so long as she remained a widow, and the said moveable and immoveable property were afterwards to revert in full ownership to Paul Lacombe," the only male child, issue of the said marriage;

That Paul Lacombe died before his mother, to wit: on the 20th January, 1895, without leaving any children; and the said Dame Emélie Durand *dît* Desmarchais herself died on the 16th June, 1905;

That no other child issue of the marriage of said Simon Lacombe and of the said Dame Emélie Durand *dît* Desmarchais was named for the purpose of receiving the property in the place of the said Paul Lacombe, but the said will said that "in any case the death of one of my said children shall benefit the others", and indicated the intention on the part of the testator to retain the property in the hands of his descendants;

That the testator, by his will, intended to provide for the voluntary alienation of his property; he authorized his wife, with the concurrence of his son, to sell the same or a portion of the said immoveables if they deemed it expedient to effect such sale; and he authorized his son, Paul Lacombe, to hypothecate and sell either for the purpose of paying off the legacies or in the event of his finding it advantageous so to do;

That the said Dame Lacombe, with the concurrence of her son Paul Lacombe, gave a certain immoveable to three of the petitioners by deed passed, at Montreal, the 17th March, 1891, before Mtre. A. Chauret, notary, and that considerable doubts have since arisen as to the right to make such gift;

That the said testator had reason to hope that, in the ordinary course of things, his son Paul Lacombe would survive his mother, and would for many years carry out his father's wishes as regards the disposal of the property;

That very serious doubts have arisen as regards the right of the present possessors to alienate the property as having succeeded to the rights of Paul Lacombe or to cause the same to be sold as substituted property, in view of the prohibition to alienate stipulated in another part of the will;

That it is evident that the late Simon Lacombe, by his will, intended to provide for the alienation and disposal of his property, but that, in consequence of the premature death of his son and sole legatee, this wish of the deceased cannot be carried out;

Whereas the petitioners have prayed that an act be passed to remove the doubts that have arisen and to provide for the appointment of three persons who shall exercise the powers given to the legatee now deceased and who shall be charged to administer the said property and to sell the same if necessary whenever the interests of the estate may require it:

Whereas it is expedient to grant such prayer;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

- | | |
|--|---|
| <p>Appoint-
ment of
board of ad-
ministrators
for the
estate.</p> | <p>1. Miss Emélie Lacombe, one of the petitioners, Arthur Yale, husband of one of the said petitioners, and the Honorable Napoléon Charbonneau, judge of the Superior Court, are hereby constituted a board of administration, whose powers shall be those defined by the articles of the Civil Code concerning trusts; and the said administrators or a majority of them shall have the right to sell, alienate, hypothecate, or convey the property of the said succession, by private sale or otherwise, as they may deem advisable, and to administer all the affairs of the said succession, to ratify sales already made and to give valid and indisputable acquittances for all prices of sale or all debts due to the said succession.</p> |
| <p>Rights of
board.</p> | |
| <p>Resignation
of trustees.</p> | <p>2. In the event of one of the said administering trustees, wishing to resign, for any reason whatsoever, he shall have the right to appoint a substitute by notarial deed. In the event</p> |
| <p>Vacancies in
in trust.</p> | <p>of the death of one of them, the two others shall appoint a substitute, also by notarial deed, if the deceased administrator has not previously done so himself by notarial deed, or by will.</p> |
| <p>Investment
of proceeds
of sale, &c.</p> | <p>3. The price of sale realized shall be invested according to the provisions of the act respecting investments of property belonging to others, without the acquirers or debtors being in any way bound to see to the same; the interest on the said investments shall be divided yearly between the four roots of the said succession, until final partition, if there be one.</p> |
| <p>Sale of im-
moveable
by trustees.</p> | <p>4. It shall likewise be lawful for the administering trustees, with the concurrence of the two spinster daughters of the late Simon Lacombe, to sell and alienate the immoveable given by the deed of donation passed, at Montreal, before Mtre. A. Chauret, notary, the 17th March, 1891, as well as the house and dependencies erected upon the said immoveable, and to give a valid and final acquittance for the price of sale; the</p> |
| <p>Investment
of proceeds.</p> | <p>proceeds of sale of such immoveable shall be invested separately according to the law governing trusts, and the interest shall be paid to the persons entitled to the same.</p> |
| <p>Power of cer-
tain persons
respecting
deed of gift.</p> | <p>The heirs, legatees and donees of the late Simon Lacombe and of Dame Emélie Desmarchais, to wit: Miss Emélie Lacombe, Miss Marie Lacombe, Dame Elizabeth Lacombe, wife separated as to property of Arthur Yale, and Miss Emilienne Charbonneau, personally when she shall come of age or be emancipated, or by her tutor who is specially authorized to</p> |

that effect before such date, may, at any time, transact together as to the validity and effect of such gift, establish the proportion of the vacant lot in the total value of the immoveable, with its buildings, and divide up the price of sale in such manner as to relieve the administrators of that portion of the trust.

5. The said heirs and legatees are also authorized and the tutor of Miss Emilienne Charbonneau is authorized to proceed, at any time, to effect a final partition, by mutual agreement and without any judicial formality, of all the said property after the immoveables shall have been sold and to give final acquittance and full discharge to the said administrators.

6. The provisions of the said will and of the said deed of gift, which are not affected by this act, shall remain in full force and effect.

Final partition of estate, &c.

Will, &c., to be otherwise in full force and effect.

7. This act shall come into force on the day of its sanction.

Coming into force.

CHAP. 113

An Act to ratify the sale by the children of the late Dame Margaret J. Morris, wife of the late William B. Lambe, to James Robinson

[Assented to 9th March, 1906]

WHEREAS Lawrence M. Lambe, of the city of Ottawa, in the Province of Ontario, geologist; Dame Gertrude M. Lambe, wife separated as to property of Percy H. Selwyn, of Ottawa aforesaid, secretary, by him duly authorized; Dame Sarah M. Lambe, wife separated as to property of Arthur A. H. Harris, of the city of Montreal, in the Province of Quebec, railway official, by him duly authorized, and Miss Elizabeth H. Lambe, Miss Margaret M. Lambe, Miss Annie M. Lambe, and Miss Agnes M. Lambe, all of Montreal aforesaid, spinsters, of the age of majority, and Melbourne M. Lambe, of Montreal aforesaid, gentleman, acting with the assistance of his judicial adviser, John L. Morris, of the same place, King's Counsel, the vendors in the hereinafter recited sale, have, by their petition, represented that doubts have arisen as to the power of Melbourne M. Lambe to sell his interest in the lot sold, and have prayed that an act be passed to ratify and confirm a deed of sale of cadastral lot number eighteen hun-

Preamble.

dred and ninety-four (1894) of St. Anne's Ward of the city of Montreal, to James Robinson, of Montreal aforesaid, merchant, the purchaser in said deed; and whereas it is expedient to grant such prayer;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

Deed of sale
of 15th Jan-
uary, 1906,
ratified.

Property
vested in
purchaser.

Coming into
force.

1. The deed of sale passed before E. W. H. Phillips, notary, at Montreal, on the fifteenth day of January, nineteen hundred and six, under the number five thousand six hundred and thirty-two of his notarial records, reproduced as a schedule of this act, whereby the vendors hereinbefore mentioned sold to the purchaser hereinbefore mentioned, for the consideration price in said deed expressed, a certain property, being cadastral lot number eighteen hundred and ninety-four (1894) of St. Anne's Ward of the said city of Montreal, with the buildings thereon erected, and all the rights and appurtenances thereto belonging, as more fully described in the said deed of sale, is hereby ratified and confirmed, and the said property is declared to have become vested by the said deed in the said James Robinson, and the right of the said vendors to receive and grant discharge for said consideration price is hereby confirmed.

2. This act shall come into force on the day of its sanction.

SCHEDULE

Before me, EDWARD W. H. PHILLIPS, the undersigned notary public for the Province of Quebec, in the Dominion of Canada, practising in the city of Montreal, in said Province

CAME AND APPEARED:

LAWRENCE M. LAMBE, of the city of Ottawa, in the Province of Ontario, geologist,

DAME GERTRUDE MORRIS LAMBE, wife of Percy H. Selwyn, of Ottawa aforesaid, secretary, from him separated as to property by contract of marriage, and by her said husband hereto duly and specially authorized, as testified by his appearance and signature to the hereinafter recited power of attorney.

The said above named three appearers herein acting by Kenneth R. Macpherson, of Montreal aforesaid, advocate, their attorney duly constituted under power of attorney

executed before witnesses at Ottawa aforesaid, on the thirteenth day of January instant, hereto attached marked "A" and duly signed and identified,

DAME SARAH MORRIS LAMBE, wife of Arthur A. H. Harris, of the said city of Montreal, railway official, and from him separated as to property by contract of marriage, and by her said husband hereto duly and specially authorized as testified by his appearance and signature hereto,

ELIZABETH HAYNES LAMBE, of the said city of Montreal, spinster, of the age of majority,

MARGARET MORRIS LAMBE, of the same place, spinster, of the age of majority,

ANNIE MORRIS LAMBE, of the same place, spinster, of the age of majority,

AGNES MORRIS LAMBE, of the same place, spinster, of the age of majority,

AND

MELBOURNE MORRIS LAMBE, of the same place, gentleman, herein acting with the assistance of his judicial adviser, John L. Morris, of Montreal aforesaid, King's Counsel, as such judicial adviser appointed upon the advice of a family council homologated before the prothonotary of the Superior Court at Montreal, on the twenty-seventh day of November last (1905).

Hereinafter called the "Vendors."

Who acknowledged and confessed to have sold and conveyed, and do by these presents sell and convey with legal warranty,

Unto JAMES ROBINSON, of the said city of Montreal, merchant, hereinafter called the "purchaser," and hereto present and accepting, the following immoveable property, to wit:

DESCRIPTION

A lot of land forming the corner of McGill and St. Maurice streets and Longueuil Lane, in the St. Anne's Ward of the said city of Montreal, containing fifty-five feet, ten inches (55'10") in width in front on McGill street, forty-six feet (46') in rear, one

hundred and nine feet (109') on the northwest side line, and one hundred and thirteen feet (113') on the southeast side line, more or less, English measure, and known and designated by the number eighteen hundred and ninety-four on the official plan and in the book of reference for Ste. Anne's Ward of said city.

With two four-story stone stores thereon erected, the northwest gable wall of said building and the ground whereon the said wall is built being *mitoyen*, and with all other rights and appurtenances unto said property belonging.

The purchaser declared to have a perfect knowledge of the said property, having seen and viewed the same previous hereto, and being therewith content and satisfied.

TITLE

The said vendors declare that they are the only children of the late Dame Margaret Jones Morris, wife of the late William Busby Lambe, in his lifetime of Montreal aforesaid, advocate, and Collector of Provincial Revenue, and daughter of the late Honourable William Morris, in his lifetime of Montreal aforesaid, and that, upon the death of their said mother, on the tenth day of August, eighteen hundred and ninety-six, the said property became vested in them in full ownership under the terms of the last will of the said late William Morris, executed in holograph form and before witnesses on the twenty-fourth day of December, eighteen hundred and fifty-one, with codicil in holograph form on the nineteenth day of February, eighteen hundred and fifty-two, both proved at Montreal aforesaid, on the fifteenth day of July, eighteen hundred and fifty-eight, and registered in the then registry office for Montreal on the twenty-sixth day of the same month, under No. 24,325.

That, by deed of partition of the estate of the said late William Morris, dated the twenty-ninth day of January, eighteen hundred and sixty-two, before J. S. Hunter, notary, certain assets forming the share of the said late Dame Margaret Jones Morris in said estate were allotted to her; that, subsequently, certain of these assets were disposed of and the hereby sold property was acquired in replacement thereof, as appears by deed of sale, from John G. Mackenzie to the said late Dame Margaret Jones Morris, passed before James Smith, notary, on the second day of March, eighteen hundred and sixty-five, and registered in the then registry office for Montreal, on the eighteenth day of June, eighteen hundred and seventy-one, under No. 62,719, in which deed intervened Hugh Allan and Alexander Morris in their capacities of executors and trustees under the will of said late William

Morris, who were holding in trust the share of said late Dame Margaret Jones Morris in said estate, and in said deed it was declared in effect that the hereby sold property was to form part of her said share in said estate.

TENURE

The vendors declare that the property is held under the tenure of *franc aleu roturier*, having been commuted by deed before E. Moreau, notary, on the second day of March, eighteen hundred and sixty-five.

POSSESSION

The said purchaser to enter upon and take possession of the said property on and from the first day of February next (1906).

PRICE

The present sale and conveyance is thus made for and in consideration of the price and sum of forty-two thousand dollars. In reduction and part payment whereof the said purchaser promises to pay the sum of fifteen thousand dollars to said vendors when they obtain legislation confirming the present deed as they have agreed, with interest thereon at five per centum per annum from the said first day of February next (1906).

And as to the balance or remaining sum of twenty-seven thousand dollars, the said purchaser promises and obliges himself to pay the same as follows, conditionally upon such legislative confirmation being obtained, to wit:

a. Seven thousand dollars thereof to said vendors, their heirs or assigns in five (5) years from said first day of February next (1906), (with right to pay the same sooner by giving three months notice in writing), together with interest thereon at the rate of five per centum (5%) per annum, to be computed from said first day of February next (1906), and payable half-yearly on the first days of February and August in each year;

b. And the remaining twenty thousand dollars (\$20,000)) *a l'acquit* of said vendors, to the Royal Institution for the Advancement of Learning, a body corporate, having its head office in the said city of Montreal, in five years (5) from the fifteenth day of November last (1905) (with right to pay the same sooner by giving three months notice in writing), together with interest thereon at the rate of five per centum (5%) per annum, to be computed from the said first day of February next (1906), and payable half-yearly on the fifteenth days of May and November

in each year. The said sum of twenty thousand dollars (\$20,000) being the capital amount of a certain deed of loan from said Royal Institution to said late Dame Margaret Jones Morris, passed before W. de M. Marler, notary, on the seventh day of January, eighteen hundred and eighty-six, and registered in the registry office for Montreal West on the twelfth day of February of the same year, under No. 111,901.

And as security for the payment of said balance of consideration price and interest the said property is hereby specially hypothecated.

VENDORS' DECLARATIONS

The said vendors declare and covenant as follows, to wit:

1. That the said property is free and clear of all annual taxes and assessments up to the said first day of February next (1906), and that there are now no special taxes affecting the said property;
2. That the said property is free and clear of all encumbrances save as herein mentioned.

CONDITIONS

The present sale and conveyance is thus made subject to the following conditions, to which the said purchaser obliges himself, to wit:

1. To pay all taxes and assessments for which the said property may be or become liable computing on and from the said first day of February next (1906), and including the proportion of the annual taxes for the current tax year, and also to pay any special taxes which may be hereafter imposed on said property;
2. To comply with the stipulations of said deed of loan from said Royal Institution as regards insurance and other matters as far as the same may still apply, the whole to the exoneration of said vendors;
3. To pay the costs of these presents and their registration and of one copy hereof with certificates of registration thereon for said vendors, to be returned to said purchaser, when said balance of price is paid off, together with a complete certificate of search from the date of the cadastre, and with copies of the title deeds from and including the will of said late Honourable William Morris.

THUS DONE AND PASSED at the said city of Montreal, in the office of me the said undersigned notary, on this fifteenth day of January, nineteen hundred and six, under the number five thousand six hundred and thirty-two of my notarial records,

and signed by the said appearers hereto with and in the presence of me, the said notary, also hereunto subscribing, these presents having been first duly read according to law.

(Signed) LAWRENCE M. LAMBE,

" GERTRUDE M. LAMBE SELWYN,
and

" PERCY H. SELWYN,
by K. R. MACPHERSON, Atty.

" SARAH M. HARRIS,

" A. H. HARRIS,

" ELIZABETH HAYNES LAMBE,

" MARGARET M. LAMBE,

" ANNIE M. LAMBE,

" AGNES M. LAMBE,

" M. M. LAMBE,

" JOHN L. MORRIS,

" JAS ROBINSON,

" E. W. H. PHILLIPS, N.P.

A true copy of the original hereof remaining of record in my office.

E. W. H. PHILLIPS, N.P

CHAP. 114

An act to authorize James Fortune to practise as a chemist
and druggist in the Province of Quebec

[Assented to 9th March, 1906]

Preamble.

WHEREAS James Fortune of the village of Huntingdon, district of Beauharnois and Province of Quebec, hath, by petition, represented:

That he is fifty years of age;

That he entered the drug store of his late father, in the year 1877, as his associate in such business and was practically his partner until his death in the year 1885;

That he studied and practised pharmacy with his father, and two years with different duly licensed pharmacists in Ontario;

That he has constantly, since the death of his father, kept a pharmacy in the said village of Huntingdon, under the supervision of a duly licensed physician and surgeon of the said Province of Quebec;

That he has had for years, and still has, an established business in said village, and has always kept and still has a large stock of all kinds of drugs;

That he wishes to practise his profession in this Province;

That through his studies and long experience he possesses the necessary knowledge and experience for keeping a pharmacy;

That he has obtained the approval of the council of management of the Pharmaceutical Association of the said Province of Quebec;

Whereas he has prayed for the passing of an act authorizing him to become a member of the Pharmaceutical Association of the Province of Quebec, and it is expedient to grant his prayer;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

Admission of
J. Fortune
as a druggist
authorized.

1. The Pharmaceutical Association of the Province of Quebec is hereby authorized to grant to the said James Fortune a license as a pharmacist, chemist and druggist in this Province, with all the privileges therewith connected.

Coming into
force.

2. This act shall come into force on the day of its sanction.

TABLE OF CONTENTS

Chap.	PAGE
1. An Act granting to His Majesty the moneys required for the expenses of the Government for the financial year ending on the 30th June, 1907, and for other purposes connected with the public service.....	3
2. An Act respecting the appropriation of the price of the Quebec, Montreal, Ottawa and Occidental Railway, and of the grant to the Government of the Province of Quebec under the Federal Act 47 Victoria, chapter 8, to the payment of the consolidated debt of the Province.....	20
3. An Act respecting the payment of Government claims.....	22
4. An Act respecting subsidies to certain Railway Companies.....	23
5. An Act respecting the contract entered into between the Government and <i>La Congrégation des Filles de Jésus</i> , concerning the maintenance and education of children of both sexes belonging to the North Shore of the Gulf of St. Lawrence (Labrador) sent to their reformatory and industrial schools at Esquimaux Point, in the county of Saguenay.....	28
6. An Act respecting the Supreme Court of Canada and the Exchequer Court of Canada.....	35
7. An Act to amend the Quebec Election Act, 1903.....	36
8. An Act to amend the Quebec Controverted Elections' Act.....	37
9. An Act to amend the Quebec License Law.....	37
10. An Act imposing taxes upon commercial corporations, companies, partnerships, associations, firm and persons.....	52
11. An Act amending and consolidating the act respecting succession duties.....	65

Chap.	PAGE
12. An Act to provide for a tax on transfers of shares, bonds, debentures or debenture-stock.....	70
13. An Act respecting motor vehicles.....	73
14. An Act respecting Trust Companies.....	81
15. An Act to amend the law respecting public lands.....	82
16. An Act to amend the act establishing the Laurentides National Park.....	84
17. An Act to establish the Gaspesian Forest, Fish and Game Preserve.....	84
18. An Act to amend the Quebec Fishery Laws.....	91
19. An Act to amend the Quebec Game Laws.....	94
20. An Act respecting stock-breeding syndicates.....	108
21. An Act to amend the law respecting the protection of settlers and the establishment of Homesteads.....	115
22. An Act to amend the law respecting the Dairy Association of the Province of Quebec.....	116
23. An Act to amend the Education Act.....	119
24. An Act to amend the law respecting the Superior Court.....	121
25. An Act respecting the terms and sittings of the Circuit Court in the District of Chicoutimi.....	121
26. An Act to amend the law respecting the Bar.....	122
27. An Act to amend the Cities and Towns' Act, 1903.....	123
28. An Act to amend the Cities and Towns' Act, 1903, respecting returns to the Provincial Secretary.....	123
29. An Act to repeal the act amending article 4691 of the Revised Statutes.....	124
30. An Act to amend section second of chapter third of title eleventh of the Revised Statutes.....	124
31. An Act to amend the law respecting Joint Stock Companies.....	125

TABLE OF CONTENTS

377

Chap.	PAGE
32. An Act to amend the law respecting railways.....	125
33. An Act respecting cooperative syndicates.....	127
34. An Act to amend articles 5279 and 5284 of the Revised Statutes..	136
35. An Act to amend the Revised Statutes respecting the incor- poration of clubs.....	137
36. An Act to amend the law respecting fish and game protection clubs.....	138
37. An Act respecting the recovery of fines.....	138
38. An Act to abolish civil death.....	140
39. An Act to amend article 53a of the Civil Code and article 1313 of the Code of Civil Procedure, respecting registers of birth....	143
40. An Act to amend article 1149 of the Civil Code respecting judg- ments in suits for usurious interest.....	144
41. An Act to amend article 2036 of the Civil Code.....	144
42. An Act to amend articles 61, 639, 717, 1029, 1041, 1048, 1069 and 1352 of the Code of Civil Procedure.....	145
43. An Act to amend the Code of Civil Procedure.....	148
44. An Act to amend the Municipal Code.....	148
45. An Act to amend the Municipal Code respecting the County Circuit Court and registry offices.....	150
46. An Act to amend article 566 of the Municipal Code.....	150
47. An Act to ratify an agreement passed between the city of Mont- real and the Canadian Pacific Railway Company.....	151
48. An Act to amend the charter of the city of St. Hyacinthe.....	160
49. An Act to consolidate and revise the charter of the town of Levis.	163
50. An Act to amend the charter of the town of Fraserville, 1903...	176
51. An Act to amend the charter of the town of St. Germain de Rimouski.....	180

Chap.	PAGE
52. An Act to amend the charter of the town of Outremont.....	182
53. An Act to incorporate the town of Notre Dame de Grâces.....	185
54. An Act to amend the charter of the town of Ste. Anne de Bellevue.....	190
55. An Act respecting the village of Boulevard Saint Paul.....	197
56. An Act to incorporate the village of St. Joseph de Bordeaux and to change its name to that of the village of Bordeaux.....	198
57. An Act to detach from the municipalities of St. Leon de Standon and St. Malachie, certain lots of the township of Buckland and to erect them into a separate municipality under the name of the "Municipality of the Parish of St. Nazaire de Dorchester.".....	202
58. An Act to amend the charter of the Quebec Central Railway Company.....	203
59. An Act to amend the act incorporating the Quebec and Lake St. John Railway Company and the acts amending the same.	207
60. An Act to further amend the charter of the Atlantic, Quebec and Western Railway Company.....	208
61. An Act to amend the act incorporating the Matane and Gaspé Railway Company.....	208
62. An Act to incorporate the Portneuf County Railway Company..	210
63. An Act to amend the charter of the Quebec and James Bay Railway Company.....	212
64. An Act to incorporate the North Eastern Railway Company....	213
65. An Act to incorporate the Quebec Northern Railway Company..	217
66. An Act to incorporate the Canadian Eastern Railway Company..	219
67. An Act to amend the acts relating to the Montreal Street Railway Company.....	230
68. An Act to incorporate the Levis County Railway.....	232
69. An Act to amend the charter of the North Shore Power Company.	247

TABLE OF CONTENTS

379

Chap.	PAGE
70. An Act to extend the powers of the Richmond, Drummond and Yamaska Mutual Fire Insurance Company.....	249
71. An Act respecting <i>La Fonciere</i> Mutual Fire Insurance Company.	253
72. An Act to incorporate the Sterling Fire Insurance Company....	257
73. An Act to amend the charter of the Royal Trust Company.....	260
74. An Act to amend the charter of the Imperial Trust Company...	262
75. An Act to amend the act 3 Edward VII, chapter 102, as amended by the act 5 Edward VII, chapter 71, and to change the name of the "Financial Corporation" to "The Dominion of Canada Trust Company".....	262
76. An Act to amend the charter of <i>Le Credit Municipal Canadien</i> ..	264
77. An Act to incorporate the Quebec Paper Box Company.....	266
78. An Act to incorporate the Dominion Corset Company.....	268
79. An Act respecting the Sherbrooke Lumber Company.....	270
80. An Act to amend the charter of <i>La Compagnie Générale du Port de Chicoutimi</i>	271
81. An Act to incorporate the T. P. Pelletier Company.....	272
82. An Act respecting McGill University.....	277
83. An Act to define the investments in which the funds of the Trafalgar Institute may be placed, and to enlarge the scope thereof.....	277
84. An Act respecting school taxes in the city of Montreal and the school debentures of the said city.....	278
85. An Act to amend the acts 4 Edward VII, chapter 50, 5 Edward VII, chapter 91, and to interpret certain provisions of the act 54 Victoria, chapter 53, respecting the issue of bonds or debentures by the Protestant Board of School Commissioners of the city of Montreal.....	280
86. An Act to erect into a separate school municipality the parish of St. Michael the Archangel, of Montreal.....	281

Chap.	PAGE
87. An Act to amend the law respecting education in this Province, as regards certain powers of the Roman Catholic Board of School Commissioners of the city of Quebec.....	282
88. An Act to incorporate the Laval School of Pharmacy in Montreal.	283
89. An Act to incorporate the Association of Opticians of the Province of Quebec.....	285
90. An Act to declare in what investments the funds of the Protestant Hospital for the Insane may be placed, to enlarge the scope thereof, and to ratify investments already made.....	288
91. An Act to incorporate the Church of the Messiah (Unitarian), Montreal, and to ratify a certain deed of sale and transfer made by said church.....	289
92. An Act to ratify a certain deed of donation of certain property from Sir George A. Drummond to the Royal Trust Company, as trustee, for a home for the incurable, the infirm, the sick and aged.....	295
93. An Act to amend the charter of <i>l'Association Saint Jean Baptiste de Montréal</i>	301
94. An Act to authorize the Roman Catholic inhabitants of the parish of St. Charles Borromée de Joliette to aid the Roman Catholic episcopal corporation of Joliette in the restoration of the Cathedral of Joliette.....	303
95. An Act to authorize the <i>curé</i> and church-wardens of <i>l'œuvre et fabrique</i> of the parish of St. Francois d'Assise de la Longue Pointe to sell lot number 42 of the cadastre of the parish of Longue Pointe.....	305
96. An Act to ratify and validate the agreements between the <i>curé</i> and church-wardens of <i>l'œuvre et fabrique</i> of the parish of Ste. Geneviève, the school commissioners of the school municipality of Ste. Geneviève No. 1, in the county of Jacques Cartier, and the community of the <i>Sœurs de Ste. Anne</i>	307
97. An Act to repeal the act 23 Victoria, chapter 145, and amendments thereto, incorporating the St. Bridget's Asylum Association of Quebec, and also further to amend the act to incorporate the Congregation of the Catholics of Quebec, speaking the English language, 18 Victoria, chapter 228....	312

Chap.	PAGE
98. An Act to incorporate <i>L'Ordre du Très Saint Rédempteur</i>	314
99. An Act to incorporate <i>Les Pauvres Clarisses de Valleyfield</i>	316
100. An Act to incorporate the <i>Congrégation des Servantes du Très Saint Sacrement</i>	318
101. An Act to incorporate <i>Les Sœurs de St. François d'Assise</i>	321
102. An Act to incorporate the <i>Club Viger</i> of Montreal.....	322
103. An Act respecting the Montefiore Club.....	324
104. An Act to incorporate <i>L'Association Athlétique d'Amateurs Nationale</i>	326
105. An Act to incorporate the Provincial Mutual Billiards and Bowling Alleys Association.....	328
106. An Act to incorporate the Association of Hotel-Keepers of the Province of Quebec.....	330
107. An Act to ratify and confirm a certain deed of sale from Edmund William Tobin and Frank N. McCrea to the Lotbiniere Lumber Company.....	331
108. An Act respecting the trustees of the estate James O'Brien....	337
109. An Act to ratify a deed between Magloire Brayer <i>dit</i> St. Pierre, senior, and his wife, and Magloire Brayer <i>dit</i> St. Pierre, junior.	338
110. An Act to ratify a deed of partition between the heirs of the estate of the late Félix Décarie.....	346
111. An Act to explain a donation clause in a contract of marriage between Joseph Dion and Marguerite Filion and to provide for a practical application of such clause.....	360
112. An Act respecting the succession of the late Simon Lacombe..	364
113. An Act to ratify the sale by the children of the late Dame Margaret J. Morris, wife of the late William B. Lambe, to James Robinson.....	367
114. An Act to authorize James Fortune to practise as a chemist and druggist in the Province of Quebec.....	374

INDEX

TO THE

STATUTES OF QUEBEC

SECOND SESSION, ELEVENTH LEGISLATURE, 6 EDWARD VII

1906

A

	PAGE
Act, Quebec Controverted Elections', amended.....	37
“ Quebec Election, 1903, amended.....	36
“ respecting licenses, amended.....	37
“ respecting succession duties, amended and consolidated.....	65
Affiliation of colleges to McGill University.....	277
Agreement between city of Montreal and the Canadian Pacific Railway Company, ratified.....	151
Alleys Association, the Provincial Mutual Billiards and Bowling, incorporated.....	328
<i>Amateurs Nationale, L' Association Athlétique d'</i> , incorporated.....	326
Appropriation of price of Quebec, Montreal, Ottawa and Occidental Railway and of the grant to the Province of Quebec by the Federal Government, to the payment of the consolidated debt of the Province.....	20
Arrangements respecting Ste. Geneviève convent, ratified.....	307
<i>Association, L', Athlétique d' Amateurs Nationale</i> , incorporated.....	326
<i>Association, l', St. Jean-Baptiste</i> , charter amended.....	301

	PAGE
Association of Hotel-Keepers of the Province of Quebec, incorporated.	330
“ of Opticians of the Province of Quebec, incorporated.....	285
“ of the Province of Quebec, The Dairy, law respecting, amended.....	116
“ taxes imposed upon commercial.....	52
“ Provincial Mutual Billiards and Bowling Alleys, incorporated.....	328
Asylum, St. Bridget's, Quebec, respecting.....	312
“ Verdun, respecting.....	288
<i>Athlétique d'Amateurs National, L'Association</i> , incorporated.....	326
Atlantic, Quebec and Western Railway Company, charter amended..	208
Automobiles, <i>See</i> Motor Vehicles.	

B

Bar of the Province, law respecting, amended.....	122
Billiards and Bowling Alleys Association, the Provincial Mutual, incorporated.....	328
Births, registration of.....	143
Bonds, debentures or debenture-stock, tax upon transfers of shares, provided for.....	70
Bordeaux village, incorporated.....	198
Boulevard Saint Paul, respecting the village of.....	197
Box Company, the Quebec Paper, incorporated.....	266
Bowling Alleys Association, the Provincial Mutual Billiards and, incorporated.....	328
Brayer <i>dû</i> St-Pierre, Magloire, senior, and his wife, and Magloire Brayer <i>dû</i> St-Pierre, junior, deed between, ratified.....	338
Breeding syndicates, Stock, respecting.....	108
Buckland, certain lots detached from township of.....	202

C

Canada, Supreme and Exchequer Courts of, respecting.....	35
“ Trust Corporation, the Dominion of, new name for the Financial Corporation.....	262
Canadian Eastern Railway Company, incorporated.....	219
“ Pacific Railway Company and the city of Montreal, agree- ment between, ratified.....	151
<i>Canadien, le Crédit Municipal</i> , charter amended.....	264
Cathedral of Joliette, respecting restoration of.....	303
Catholic School Commission of Montreal, respecting.....	278
“ schools in the city of Montreal, respecting.....	278
“ “ “ “ Quebec, respecting.....	282
Catholics of Quebec, speaking the English language, Congregation of the, charter amended.....	312
Charter of <i>La Compagnie Générale du Port de Chicoutimi</i> , amended...	271
“ <i>L'Association Athlétique d'Amateurs Nationale</i> , granted....	326

	PAGE
Charter of <i>l'Association Saint Jean-Baptiste de Montréal</i> , amended...	301
" <i>Le Crédit Municipal Canadien</i> , amended.....	264
" <i>Les Pauvres Clarisses de Valleyfield</i>	316
" <i>Les Sœurs de St-François d'Assise</i> , granted.....	321
" <i>L'Ordre du Très-Saint-Rédempteur</i> , granted.....	314
" the Association of Hotel-Keepers of the Province of Quebec, granted.....	330
" " Association of Opticians of the Province of Quebec, granted.....	285
" " Atlantic, Quebec and Western Railway Company, amended.....	208
" " Canadian Eastern Railway Company, granted.....	219
" " Church of the Messiah (Unitarian), granted.....	289
" " city of St. Hyacinthe, amended.....	160
" " <i>Club Viger</i> , of Montreal, granted.....	322
" " <i>Congrégation des Servantes du Très-Saint-Sacrement</i>	318
" " Dominion Corset Company.....	268
" " Financial Corporation, amended and name changed...	262
" " Imperial Trust Company, amended.....	262
" " Laval School of Pharmacy in Montreal, granted.....	283
" " Levis County Railway, granted.....	232
" " Matane and Gaspé Railway Company, amended.....	208
" " Montefiore Club, respecting the.....	324
" " Montreal Street Railway Company, amended.....	230
" " North Eastern Railway Company, granted.....	213
" " North Shore Power Company, amended.....	247
" " Portneuf County Railway Company, granted.....	210
" " Provincial Mutual Billiards and Bowling Alleys Asso- ciation, granted.....	328
" " Quebec and James Bay Railway Company, amended..	212
" " Quebec and Lake St. John Railway Company, amended	207
" " Quebec Central Railway Company, amended.....	203
" " Quebec Northern Railway Company, granted.....	217
" " Quebec Paper Box Company, granted.....	266
" " Royal Trust Company, amended.....	260
" " Sherbrooke Lumber Company, amended.....	270
" " Sterling Fire Insurance Company, granted.....	257
" " town of Fraserville, amended.....	176
" " " Levis, revised and consolidated.....	163
" " " Notre-Dame de Grâces, granted.....	185
" " " Outremont, amended.....	182
" " " Ste. Anne de Bellevue, amended.....	190
" " " St. Germain de Rimouski, amended.....	180
" " T. P. Pelletier Company, granted.....	272
" " village of Bordeaux, granted.....	198
Chemist and druggist, admission of James Fortune as, authorized....	374

	PAGE
<i>Chicoutimi, La Compagnie Générale du Port de</i> , charter amended.....	271
Chicoutimi, respecting the terms and sittings of the Circuit Court in the district of	121
Church of the Messiah (Unitarian), incorporated.....	289
Circuit Court, in the district of Chicoutimi, respecting the terms and sittings of the	121
Cities and Towns Act, 1903, amended.....	123
City of Montreal and the Canadian Pacific Railway Company, agreement between, ratified	151
City of Montreal, respecting school taxes and debentures of the. 278,	280
“ Quebec, Roman Catholic schools in, respecting.....	282
“ St. Hyacinthe, charter amended.....	160
Civil Code, amended.....	140, 143, 144
“ death, abolished.....	140
“ Procedure, Code of, amended.....	140, 143, 145, 148
Claims, respecting payment of Government.....	22
<i>Clarisses de Valleyfield, Les Pauvres</i> , incorporated.....	316
Club, change of name of, how effected.....	137
“ Montefiore, respecting the.....	324
Clubs, respecting fish and game protection.....	138
“ respecting incorporation of.....	137
<i>Club Viger</i> , of Montreal, incorporated.....	322
Code Civil, amended.....	140, 143, 144
“ Municipal, amended.....	138, 148, 150
“ of Civil Procedure, amended.....	140, 143, 145, 148
Colleges affiliated to McGill University, respecting.....	277
Commercial corporations, partnerships associations, firms and persons, taxes imposed upon.....	52
<i>Compagnie Générale du Port de Chicoutimi, La</i> , charter amended.....	271
Companies, Joint Stock, law respecting amended.....	124, 125
“ respecting subsidies to certain railway.....	23
“ “ trust, and their inspection.....	81
“ taxes imposed upon commercial.....	52
Company, Atlantic, Quebec and Western Railway, charter amended.	208
“ Canadian Pacific Railway, and the city of Montreal, agreement between, ratified.....	151
“ <i>La Foncière</i> , Mutual Fire Insurance, respecting.....	253
“ <i>Le Crédit Municipal Canadien</i> , charter of the, amended...	264
“ Levis County Railway, incorporated.....	232
“ Matane and Gaspé Railway, charter amended.....	208
“ Montreal Street Railway, charter amended.....	230
“ North Shore Power, charter amended.....	247
“ Quebec and James Bay Railway, charter amended.....	212
“ “ Lake St. John Railway, charter amended.....	207
“ “ Central Railway, charter amended.....	203
“ Sale from E. A. Tobin and F. N. McCrea to the Lotbinière Lumber, confirmed.....	331

	PAGE
Company, the Canadian Eastern Railway, incorporated.....	219
“ “ Dominion Corset, incorporated.....	268
“ “ Imperial Trust, charter amended.....	262
“ “ North Eastern Railway, incorporated.....	213
“ “ Portneuf County Railway, incorporated.....	210
“ “ Quebec Northern Railway, incorporated.....	217
“ “ “ Paper Box, incorporated.....	266
“ “ Royal Trust, charter amended.....	260
“ “ Sherbrooke Lumber, respecting the.....	270
“ “ Sterling Fire Insurance, incorporated.....	257
“ “ T. P. Pelletier, incorporated.....	272
<i>Congrégation des Filles de Jésus, la</i> , contract between Government and, ratified.....	28
<i>Congrégation des Servantes du Très-Saint-Sacrement</i> , incorporated.....	318
Congregation of the Catholics of Quebec, speaking the English lan- guage, charter amended.....	312
Consolidated debt of the Province, appropriation of the price of the sale of the Quebec, Montreal, Ottawa and Occidental Railway and of grant to the Province by the Dominion to the payment of the.....	20
Contract between the Government and <i>La Congrégation des Filles de Jésus</i> , respecting the maintenance of reformatory and industrial schools at Esquimaux Point, in the county of Saguenay, ratified.....	28
Contract of marriage between Joseph Dion and Marguerite Filion, clause in, explained.....	360
Controverted Elections' Act, The Quebec, amended.....	37
Convent of Ste. Geneviève, agreement respecting, ratified.....	307
Cooperative syndicates, respecting.....	127
Corporations, commercial, taxes imposed upon.....	52
Corporation, the Dominion of Canada Trust, new name for the Finan- cial Corporation.....	262
“ “ Financial, charter amended and name changed to Dominion of Canada Trust Corporation.....	262
Corset Company, the Dominion, incorporated.....	268
Court, in the district of Chicoutimi, respecting the terms and sittings of the Circuit.....	121
Courts, Supreme and Exchequer, of Canada, respecting.....	35
Court, Superior, law respecting the, amended.....	121
<i>Crédit Municipal Canadien, le</i> , charter amended.....	264
Crown lands, <i>See</i> Public Lands.	

D

Dairy Association of the Province of Quebec, law respecting the, amended.....	116
Death, Civil, abolished.....	140

	PAGE
Debentures or debenture-stock, tax upon transfers of shares, bonds, provided for.....	70
Debenture-stock, tax upon transfers of shares, bonds, debentures or, provided for.....	70
Debt of the Province, appropriation of payment by Canadian Pacific Railway and of grant by Dominion to the Provincial Government to the payment of the consolidated.....	20
Décarie, Félix, ratification of deed of partition between the heirs of the estate of the late.....	346
Deed between Magloire Brayer <i>dû</i> St. Pierre, senior, and his wife, and Magloire Brayer <i>dû</i> St. Pierre, ratified.....	338
Deed of partition between heirs of the estate of the late Félix Décarie, ratified.....	346
Dion, Joseph and Marguerite Filion, clause in marriage contract between, explained.....	360
District of Chicoutimi, respecting the terms and sittings of the Circuit Court in the.....	121
Dominion Corset Company, incorporated.....	268
“ grant to the Province, appropriation to the payment of the consolidated debt of the Province.....	20
“ of Canada Trust Corporation, new name for the Financial Corporation.....	262
Donation by Sir George A. Drummond to Royal Trust Company for certain purposes, confirmed.....	295
“ clause in contract of marriage between Joseph Dion and Marguerite Filion, explained.....	360
Druggist and chemist, admission of James Fortune as, authorized...	374
Drummond and Yamaska Mutual Fire Insurance Company, Richmond, powers extended.....	249
“ Sir George A., donation by, to Royal Trust Company, for certain purposes, confirmed.....	295
Duties, act respecting succession, amended and consolidated.....	65

E

<i>Ecoles Ménagères Provinciales</i> , establishment of, authorized.....	301
Education Act, amended.....	119
“ respecting.....	119, 277, 278, 280, 281, 282, 307
Election Act, 1903, The Quebec, amended.....	36
Elections' Act, The Quebec Controverted, amended.....	37
English speaking Catholics of Quebec, respecting.....	312
Esquimaux Point, Reformatory and Industrial Schools at, contract respecting, ratified.....	28
Estate Dame Margaret T. Morris, wife of William B. Lambe, sale of certain property of, ratified.....	367
“ James O'Brien, respecting trustees of.....	337

PAGE

Estate of the late Félix Décarie, ratification of deed of partition between heirs of the.....	346
" Simon Lacombe, respecting.....	364
Exchequer Court of Canada, respecting.....	35

F

Filion, Marguerite, and Joseph Dion, clause in marriage contract between, explained.....	360
<i>Filles de Jésus, See Congrégation des Filles de Jésus.</i>	
Financial Corporation, charter amended and name changed to Dominion of Canada Trust Corporation.....	262
Fines, recovery of.....	138
Fire Insurance Companies, respecting Mutual.....	136
" " Company, <i>La Foncière</i> Mutual, respecting.....	253
" " " Richmond, Drummond and Yamaska Mutual, powers extended.....	249
" " " the Sterling, incorporated.....	257
Firms, taxes imposed upon commercial.....	52
Fish and Game Preserve, Gaspesian Forest, established.....	84
" " " Protection clubs, respecting.....	138
Fishery Laws, Quebec, amended.....	91
<i>Foncière, la</i> , Mutual Fire Insurance Company, respecting.....	253
Foot, Caroline Rose, deed of certain property to, confirmed.....	289
Forest, Fish and Game Preserve; Gaspesian, established.....	84
Formation of stock-breeding syndicates, respecting.....	108
Fortune, James, admission of, as chemist and druggist.....	374
Fraserville, town, charter amended.....	176

G

Game Laws, Quebec, amended.....	94
" Preserve, Gaspesian, Forest, Fish and, established.....	84
" Protection Clubs, respecting Fish and.....	138
Gaspé, Matane and, Railway Company, charter amended.....	208
Gaspesian Forest, Fish and Game Preserve, established.....	84
Government claims, respecting payment of.....	22
Grant by the Federal Government to the Province, appropriation of, to payment of consolidated debt of the Province.....	20

H

Homesteads, law respecting the establishment of, amended.....	115
Hospital for the Insane, the Protestant, respecting investments by the	288
Hotel-keepers of the Province of Quebec, association of, incorporated.	330
Hunting, <i>See</i> Game Laws.	
Hypothec, judicial, respecting.....	144

I

	PAGE
Imperial Trust Company, charter amended.....	262
Incorporation Act of <i>La Compagnie Générale du Port de Chicoutimi</i> , amended.....	271
“ “ <i>La Foncière</i> Mutual Fire Insurance, amended..	253
“ “ <i>l'Association St. Jean-Baptiste de Montréal</i> , amended.....	301
“ “ <i>Le Crédit Municipal Canadien</i> , amended.....	264
“ “ the Atlantic, Quebec and Western Railway Com- pany, amended.....	208
“ “ “ Congregation of the Catholics of Quebec speaking the English language, amended.	312
“ “ “ Financial Corporation, amended and name changed.....	262
“ “ “ Imperial Trust Company, amended.....	262
“ “ “ Matane and Gaspé Railway Company, amended.....	208
“ “ “ Montreal Street Railway Company, amended	230
“ “ “ North Shore Power Company, amended....	247
“ “ “ Quebec and James Bay Railway Company, amended.....	212
“ “ “ Quebec and Lake St. John Railway Com- pany, amended.....	207
“ “ “ Quebec Central Railway Company, amended	203
“ “ “ Royal Trust Company, amended.....	260
“ “ “ Sherbrooke Lumber Company, respecting...	270
“ “ “ town of Ste. Anne de Bellevue, amended...	190
“ of Clubs, respecting.....	137
“ <i>L'Association Athlétique d'Amateurs Nationale</i>	326
“ <i>Les Pauvres Clarisses de Valleyfield</i>	316
“ <i>Les Sœurs de St. François d'Assise</i>	321
“ <i>L'Ordre du Très-Saint-Rédempteur</i>	314
“ the Association of Hotel-keepers of the Province of Quebec.....	330
“ “ “ Opticians of the Province of Quebec.....	285
“ “ Canadian Eastern Railway Company.....	219
“ “ Church of the Messiah (Unitarian), etc.....	289
“ “ <i>Club Viger</i> , of Montreal.....	322
“ “ <i>Congrégation des Servantes du Très-Saint-Sacre- ment</i>	318
“ “ Dominion Corset Company.....	268
“ “ Laval School of Pharmacy, in Montreal.....	283
“ “ Levis County Railway.....	232
“ “ Montefiore Club, respecting the.....	324

	PAGE
Incorporation of the North Eastern Railway Company.....	213
“ “ Portneuf County Railway Company.....	210
“ “ Provincial Mutual Billiards and Bowling Alleys Association.....	328
“ “ Quebec Northern Railway Company.....	217
“ “ Paper Box Company.....	266
“ “ Sterling Fire Insurance Company.....	257
“ “ town of Notre Dame de Grâces.....	185
“ “ T. P. Pelletier Company.....	272
“ “ Village of Bordeaux.....	198
Industrial and Reformatory Schools at Esquimaux Point, contract respecting, ratified.....	28
Insane, Protestant Hospital for the, respecting investments by.....	288
Inspection of Trust Companies.....	81
Institute, Trafalgar, respecting investments by.....	277
Instruction, Public, law respecting, amended.....	119
“ “ respecting.....	119, 277, 278, 280, 281, 282, 307
Insurance Companies, respecting Mutual Fire.....	136
“ Company, <i>La Foncière</i> Mutual Fire, respecting.....	253
“ “ Richmond, Drummond and Yamaska, Mutual Fire, powers extended.....	249
“ “ Sterling Fire, incorporated.....	257
Interest, usurious, respecting.....	144
Investments by Protestant Hospital for the Insane, respecting.....	288
“ Trafalgar Institute, respecting.....	277

J

James Bay Railway Company, charter of the Quebec and, amended..	212
Joint Stock Companies, law respecting, amended.....	124, 125
Joliette Cathedral, respecting restoration of.....	303
Judicial hypothec, respecting.....	144

L

Lacombe, Simon, respecting estate late.....	364
<i>La Foncière</i> Mutual Fire Insurance Company, respecting.....	253
Lake St. John Railway Company, Quebec and, charter amended.....	207
Lambe, W. B., sale of certain property of estate of Margaret J. Morris, wife of, ratified.....	367
Lands, law respecting public, amended.....	82
Laurentides National Park, act establishing, amended.....	84
Laval School of Pharmacy in Montreal, incorporated.....	283
Law, Quebec License, amended.....	37
Laws, respecting Fisheries, amended.....	91
“ “ Game, amended.....	94

	PAGE
Levis County Railway, incorporated.....	232
“ town, charter revised and consolidated.....	163
License Law, Quebec, amended.....	37
Longue Pointe, parish of, sale of certain property of, by <i>curé</i> , etc., authorized.....	305
Lotbiniere Lumber Company, sale by E. T. Tobin and F. N. McCrea, to, confirmed.....	331
Lumber Company, sale from E. W. Tobin and F. N. McCrea to the Lotbiniere, confirmed.....	331
“ Sherbrooke, respecting the.....	270

M

Marriage contract between Joseph Dion and Marguerite Filion, clause in, explained.....	360
Matane and Gaspé Railway Company, charter amended.....	208
McCrea, F. N. and E. W. Tobin, sale to the Lotbiniere Lumber Com- pany from, confirmed.....	331
McGill University, respecting.....	277
<i>Ménagères Provinciales, Ecoles</i> , establishment authorized.....	301
Montefiore Club, respecting the.....	324
<i>Montréal, Association, l' St-Jean-Baptiste de</i> , charter amended.....	301
Montreal, city of, and the Canadian Pacific Railway Company, agree- ment between, ratified.....	151
“ “ “ respecting school taxes and debentures in the.....	278, 280
“ <i>Club Viger</i> of incorporated.....	322
“ Laval School of Pharmacy in, incorporated.....	283
“ Street Railway Company, charter amended.....	230
Morris, Margaret J., wife of Wm B. Lambe, sale of certain property of estate of ratified.....	367
Motor vehicles act respecting.....	73
<i>Municipal Canadien, Le Crédit</i> , charter amended.....	264
Municipal Code, amended.....	138, 148, 150
Municipality of the parish of St. Leon de Standon, lots detached from.....	202
“ “ “ St. Malachie, lots detached from.....	202
“ “ “ St. Nazaire, erected.....	202
Mutual Billiards and Bowling Alleys Association, the Provincial, incorporated.....	328
“ Fire Insurance Companies, respecting.....	136
“ “ “ Company, <i>La Foncière</i> , respecting.....	253
“ “ “ “ Richmond, Drummond and Ya- maska, powers extended.....	249

N

<i>Nationale, L'Association Athlétique d'Amateurs</i> , incorporated.....	326
National Park, act establishing Laurentides, amended.....	84

	PAGE
North Eastern Railway Company, incorporated.....	213
“ Shore Power Company, charter amended.....	247
Notre-Dame de Grâces, town incorporated.....	185

O

O'Brien, Hon. James, trustees of estate of, respecting.....	337
Opticians of the Province of Quebec, association of, incorporated....	285
<i>Ordre du Très-Saint-Rédempteur, l'</i> , incorporated.....	314
Outremont, town, charter amended.....	182

P

Paper Box Company, the Quebec, incorporated.....	266
Parish of Longue Pointe, <i>curé</i> , etc., of, authorized to sell certain property.....	305
“ <i>St. Charles Borromée de Joliette</i> , certain inhabitants of, authorized to assist in restoration of Cathedral of Joliette.....	303
“ <i>Ste. Geneviève</i> , county of Jacques Cartier certain agreement with <i>Les Sœurs de Ste. Anne</i> , respecting schools in, ratified.....	307
“ <i>St. Michael the Archangel</i> , Montreal, erected into a separate school municipality.....	281
“ <i>St. Nazaire</i> , municipality of, erected.....	202
Park, Gaspesian Forest and Fish and Game Preserve erected.....	84
“ <i>Laurentides National</i> , act establishing the, amended.....	84
Partition between heirs of the estate late Félix Décarie, ratified....	346
Partnerships, taxes imposed upon commercial.....	52
<i>Pauvres Clarisses de Valleyfield, Les</i> , incorporated.....	316
Payment of Government claims, respecting.....	22
Pelletier Company, the T. P., incorporated.....	272
Persons, taxes imposed upon certain.....	52
Pharmaceutical Association of the Province of Quebec authorized to admit James Fortune as a chemist and druggist.....	374
Pharmacy, in Montreal, Laval School of, incorporated.....	283
<i>Port de Chicoutimi, La Compagnie Générale du</i> , charter amended....	271
Portneuf County Railway Company, incorporated.....	210
Power Company, charter of the North Shore, amended.....	247
Preserve, Gaspesian Forest Fish and Game, established.....	84
Procedure, Code of Civil, <i>See</i> Code of Civil Procedure.	
Protection of settlers and establishment of Homesteads, law respecting, amended.....	115
Protestant Board of School Commissioners of the city of Montreal, respecting....	280
“ Hospital for the Insane, respecting investments by the...	288
“ Schools in the city of Montreal, respecting.....	280

	PAGE
Province, appropriation of certain sums to the payment of the consolidated debt of the.....	20
“ of Quebec, Association of Hotel-keepers of the, incorporated	330
“ “ “ Opticians of the, incorporated....	285
“ “ Dairy Association of the, law respecting, amended.....	116
Provincial Mutual Billiards and Bowling Alleys Association, incorporated.....	328
Public Instruction, act respecting, amended.....	119
“ “ respecting.....	119, 227, 278, 280, 281, 282, 307
“ Lands, law respecting, amended.....	82

Q

Quebec and James Bay Railway Company, charter amended.....	212
“ “ Lake St. John Railway Company, charter amended.....	207
“ Association of Hotel-keepers of the Province of, incorporated	330
“ “ Opticians of the Province of, incorporated....	285
“ Central Railway Company, charter amended.....	203
“ Congregation of Catholics speaking the English language, charter amended.....	312
“ Controverted Elections' Act, amended.....	37
“ Dairy Association of the Province of, law respecting, amended	116
“ Election Act, 1903, amended.....	36
“ Fishery laws, amended.....	91
“ Game Laws, amended.....	94
“ License Law, amended.....	37
“ Montreal, Ottawa and Occidental Railway, appropriation of price of, to payment of consolidated debt of the Province	20
“ Northern Railway Company, incorporated.....	217
“ Paper Box Company, incorporated.....	266
“ Roman Catholic Schools in the city of, respecting.....	282
“ St. Bridget's Asylum, respecting.....	312

R

Railway Company, the Atlantic, Quebec and Western, charter amended.	208
“ “ “ Canadian Eastern, incorporated....	219
“ “ “ Canadian Pacific, and the city of Montreal, agreement between, ratified.....	157
“ “ “ Levis County, incorporated.....	232
“ “ “ Matane and Gaspé, charter amended.....	208
“ “ “ Montreal Street, charter amended.....	230
“ “ “ North Eastern, incorporated....	213
“ “ “ Portneuf County, incorporated.....	210
“ “ “ Quebec and James Bay, charter amended.....	212

	PAGE
Railway Company, the Quebec and Lake St. John, charter amended	207
“ “ “ Quebec Central, charter amended.....	203
“ “ “ Quebec Northern, incorporated.....	217
“ Companies, subsidies to certain.....	23
Railways, law respecting, amended.....	125
Ratification of certain deed respecting sale of Unitarian church building, Montreal.....	289
“ deed between Magloire Brayer <i>dît</i> St. Pierre, senior, and his wife, and Magloire Brayer <i>dît</i> St. Pierre, junior.....	338
“ “ of partition between heirs estate late Félix Décarie.....	346
“ sale of certain property of estate Margaret J. Morris, wife of William B. Lambe.....	367
Recovery of fines, respecting.....	138
<i>Rédempteur, L'Ordre du Très Saint</i> , incorporated.....	314
Reformatory and Industrial Schools at Esquimaux Point, contract respecting, ratified.....	28
Registers of Civil Status, respecting.....	143
“ birth, respecting.....	143
Richmond, Drummond and Yamaska Mutual Fire Insurance Company, powers extended.....	249
Rimouski, St. Germain de, town, charter amended.....	180
Roberval, sittings of Circuit Court in town of.....	121
Roman Catholic Board of School Commissioners of the city of Quebec, respecting.....	282
Royal Trust Company, charter amended.....	260
“ “ “ Donation to, for certain purposes, by Sir George A. Drummond, confirmed.....	295

S

<i>Sacrement, Congrégation des Servantes du Très-Saint</i> , incorporated....	318
<i>Saint-Sacrement, Congrégation des Servantes du Très</i> , incorporated....	318
Sale from E. W. Tobin and F. N. McCrea to the Lotbiniere Lumber Company, confirmed.....	331
Sale of certain property in parish of Longue Pointe by the <i>curé</i> , etc., of parish, authorized.....	305
“ “ “ of estate of Margaret J. Morris, wife of Wm. B. Lambe, ratified.....	367
School debentures of the city of Montreal, respecting.....	278, 280
“ municipality of the parish of St. Michael the Archangel, erected.	281
“ of Pharmacy in Montreal, incorporated.....	283
“ taxes and debentures of the city of Montreal, respecting.	278, 280
Schools in parish of Ste. Geneviève, county of Jacques-Cartier, respecting.....	307
Secretary of Mutual Fire Insurance Companies, respecting.....	136

	PAGE
Seigniori of St. Jean Deschaillons, respecting sale of.....	331
<i>Servantes du Très-Saint-Sacrement, Congrégation des</i> , incorporated....	318
Settlers and the establishment of Homesteads, act respecting the protection of, amended.....	115
Shares, bonds, debentures or debenture-stock, tax upon transfers of, provided for.....	70
Sherbrooke Lumber Company, respecting the.....	270
Shooting, <i>See</i> Game Laws.	
Smyth, Robert Newton, deed of certain property to Caroline Rose Foote, wife of, confirmed.....	289
Society, <i>See</i> Association, Charter, Company.....	
<i>Sœurs de Ste. Anne</i> , agreement with, respecting schools in Ste. Geneviève, county of Jacques-Cartier, ratified.....	307
“ <i>les, de St. François d'Assise</i> , incorporated.....	321
Ste. Anne de Bellevue, town, charter amended.....	190
St. Bridget's Asylum, Quebec, respecting.....	312
<i>St. Charles Borromée de Joliette</i> , certain inhabitants of parish, authorized to assist in the restoration of the Cathedral of Joliette..	303
<i>St. François d'Assise, les Sœurs de</i> , incorporated.....	321
Ste. Geneviève, agreement of School Commissioners of school municipality of Ste. Geneviève No. 1, with <i>Les Sœurs de Ste. Anne</i> , respecting schools, ratified.....	307
Ste. Geneviève convent, agreements respecting, ratified.....	307
St. Germain de Rimouski, town, charter amended.....	180
St. Hyacinthe, charter of the city of, amended.....	160
<i>St. Jean-Baptiste de Montréal, l'Association de</i> , charter amended....	301
St. Jean Deschaillons, seigniori of, respecting sale of.....	331
St. Joseph de Bordeaux, village, name changed to Bordeaux.....	198
St. Léon de Standon, lots detached from municipality of.....	202
St. Malachie, lots detached from municipality of.....	202
St. Michael the Archangel, erection into a separate school municipality of the parish of.....	281
St. Nazaire, municipality of the parish of, erected.....	202
St. Paul, respecting the village of Boulevard.....	197
St. Pierre, <i>See</i> Brayer dit St. Pierre.	
Sterling Fire Insurance Company, incorporated.....	257
Stock-breeding syndicates, act respecting.....	108
Street Railway Company, Montreal, charter amended.....	230
Subsidies to certain Railway Companies.....	23
Succession duties, act respecting, amended and consolidated.....	65
Succession, <i>See</i> Estate.	
Superior Court, law respecting the, amended.....	121
Supplies.....	3
Supreme Court of Canada, respecting.....	35
Syndicates, Co-operative, respecting.....	127
“ Stock-breeding, respecting.....	108

T

	PAGE
Taxes imposed upon commercial corporations, companies, partnerships, associations, firms and persons.....	52
Tax on transfers of shares, bonds, debentures or debenture-stock, provided for.....	70
Tobin, E. W., and F. N. McCrea, sale to the Lotbiniere Lumber Company, confirmed.....	331
Town of Fraserville, charter amended.....	176
" Levis, charter revised and consolidated.....	163
" Notre Dame de Grâces, incorporated.....	185
" Outremont, charter amended.....	182
" Ste. Anne de Bellevue, charter amended.....	190
" St. Germain de Rimouski, charter amended.....	180
Towns' Act, 1903, Cities and, amended.....	123
Township of Buckland, lots detached from.....	202
T. P. Pelletier Company, the, incorporated.....	272
Trafalgar Institute, respecting investments by.....	277
Transfers of shares, bonds, debentures or debenture-stock, tax upon, provided for.....	70
<i>Très-Saint-Rédempteur, l'Ordre du</i> , incorporated.....	314
<i>Très-Saint-Sacrement, Congrégation des Servantes du</i> , incorporated....	318
Trust Companies and their inspection, respecting.....	81
" Company, the Imperial, charter amended.....	262
" " " Royal, charter amended.....	260
" Corporation, the Dominion of Canada, new name for the Financial Corporation.....	262
Trustees of the estate Hon. James O'Brien, respecting.....	337

U

Unitarian Church, incorporated.....	289
University, McGill, respecting.....	277
Usurious interest, respecting.....	144

V

<i>Valleyfield, Les Pauvres Clarisses de</i> , incorporated.....	316
Vehicles, respecting Motor.....	73
Verdun Asylum, respecting.....	288
<i>Viger, Club</i> , of Montreal, incorporated.....	322
Village of Bordeaux, incorporated.....	198
" Boulevard Saint Paul, respecting the.....	197
" St. Joseph de Bordeaux, name changed to village of Bordeaux.....	198

Y

Yamaska Mutual Fire Insurance Company, Richmond, Drummond and, powers extended.....	249
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